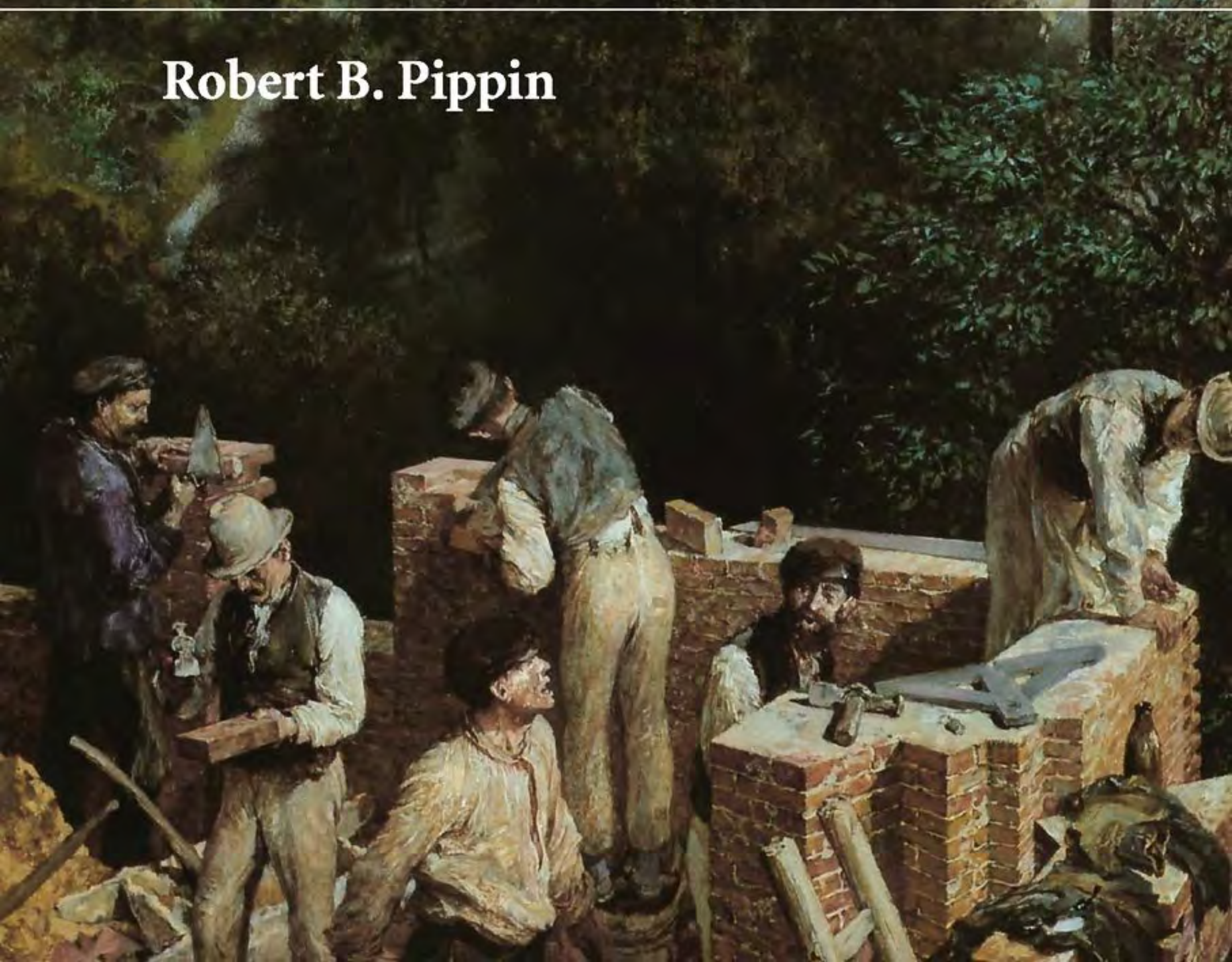


A painting of a cityscape, likely a 19th-century scene. In the background, a large, ornate building with a dome and arched windows is visible, partially obscured by dense green trees. The foreground is filled with more trees and foliage. The overall tone is somewhat somber and atmospheric.

Hegel's Practical Philosophy

Rational Agency as Ethical Life

Robert B. Pippin



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HEGEL'S PRACTICAL PHILOSOPHY

This fresh and original book argues that the central questions in Hegel's practical philosophy are the central questions in modern accounts of freedom: What is freedom, or what would it be to act freely? Is it possible so to act? And how important is leading a free life? Robert Pippin argues that the core of Hegel's answers is a social theory of agency, the view that agency is not exclusively a matter of the self-relation and self-determination of an individual but requires the right sort of engagement with, and recognition by, others. Using a detailed analysis of key Hegelian texts, Pippin develops this interpretation to reveal the bearing of Hegel's claims on many contemporary issues, including much-discussed core problems in the liberal democratic tradition. His important study will be valuable for all readers who are interested in Hegel's philosophy and in the modern problems of agency and freedom.

ROBERT PIPPIN is the Evelyn Stefansson Nef Distinguished Service Professor in the John U. Nef Committee on Social Thought, the Department of Philosophy, the College at the University of Chicago.

HEGEL'S PRACTICAL PHILOSOPHY

Rational Agency as Ethical Life

ROBERT B. PIPPIN

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For Joan, as ever

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Acknowledgments

This book started out in 1990 as a book about Hegel's theory of modern "ethical life," essentially about his ethical and political philosophy. In the course of writing that book and a few preliminary articles, it became clear that Hegel's theory could not be properly understood without an appreciation of his very unusual position on the nature of human agency. More accurately, it began to seem that his ethical and political philosophy essentially *was* a theory of human agency. Such an appreciation required, in turn, a detailed treatment of the theory of freedom appealed to in that account, and what was for Hegel the most important condition for the exercise of agency as a free subject: rationality. Hegel's position on each of these issues was, to say the least, non-standard. He did not distinguish between actions and events, or agents and non-agents, on the basis of a metaphysical dualism, nor did he deny the distinction in any reductionist monism. His theory of freedom was not a voluntarist or causal theory, and neither was it a standard compatibilism. And his theory of practical rationality was not a theory of about a faculty or reflective power exercised by an individual. It soon became clear that these preliminaries required their own book-length treatment.

In completing this project over several years I incurred many debts and I am happy to acknowledge them. The new project began in earnest during a sabbatical stay in 1997–8 at the Eberhard Karls Universität in Tübingen, supported for the second time in my career by the Alexander von Humboldt Foundation. I am very grateful to that foundation and to my hosts and colleagues in the philosophy department, Manfred Frank, Otfried Höffe, and Anton Koch, for their hospitality and conversations during my stay there. (I am especially indebted to Tony Koch for his seminars on Hegel's *Begriffslogik* and on Robert Brandom's *Making It Explicit*.) In 2003–4 I was very fortunate to have been awarded a fellowship at the *Wissenschaftskolleg zu Berlin*, where I was able to complete several chapters of the book manuscript. The *Wissenschaftskolleg*

is as close to an ideal research environment as I can imagine, due in large part to the extraordinary staff there and to the stimulating fellows they assemble each year. I owe that staff and the fellows in my *Jahrgang* a great debt.

While in Berlin, my friend Rolf-Peter Horstmann of the Humboldt University (whose work on German Idealism has been an inspiration for thirty years) was kind enough to organize a bi-weekly seminar of philosophers in the Berlin area. I was able to present drafts of several chapters at these seminars and profited immensely from the comments of colleagues there, especially from Dina Emundts, Rolf-Peter Hortsman, Andrea Kern, Hans-Peter Krüger, Christoph Menke, Terry Pinkard, Sebastian Rödl, and the late Rüdiger Bubner.

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My greatest institutional debts are to the University of Chicago and to the Committee on Social Thought. Phrases like “support for one’s research,” and a “climate of integrity and dedication,” and “constant intellectual stimulation” cannot adequately convey the uniqueness of these institutions and neither can I adequately convey how privileged I feel to be a member of such communities.

It would take at least a chapter-length narrative to thank properly the many colleagues and students to whom I am indebted. But I have to mention the following. Starting in 2004, Jim Conant at Chicago and Sebastian Rödl, now at the University of Basel, organized a “TransCoop” or international cooperation project, supported yet again by the ever-generous Alexander von Humboldt Foundation. The subject was “Transcendental Logio from Kant to Frege.” This made possible yearly meetings over several years, one year in Chicago and one year in Germany, and so another forum for trying out both my interpretation of Hegel and for evaluating the philosophical cogency of the position attributed to him. I benefited greatly from the exchanges at these meetings, particularly with Jim Conant, Paul Franks, Sebastian Rödl, Pirmin Stekeler-Weithoffer, and Michael Thompson, but above all from several sustained exchanges with John McDowell. I learned a great deal, more than I can adequately acknowledge, both from the work McDowell presented at these traveling seminars (and from his work in general) and from his

criticisms and responses. This was equally true of a series of lectures on agency and action theory that McDowell gave at the University of Chicago in the spring of 2007.

I have been discussing Hegel with Terry Pinkard for over twenty years and continue to value greatly what I have learned from these exchanges. Here at Chicago conversations with Jim Conant in the last several years, particularly about issues in Kant and in contemporary work on perception and agency, have been very helpful, and the seminars taught in the last few years by Candace Vogler on “action-based ethics” proved indispensable in the final draft of the manuscript. I had the great privilege of several spirited exchanges about Hegel with Richard Rorty in the last years of his life, some in public, some in print, and all were very valuable. Axel Honneth invited me a few times to give lectures on Hegel’s practical philosophy at Frankfurt and I was always happy to do so. The philosophical atmosphere that Honneth has created at Frankfurt is among the most stimulating and rigorous of any I have found anywhere and I learned a great deal from conversations there, especially from Honneth. I am grateful as well for exchanges with Robert Brandom, Dieter Henrich, Jonathan Lear, Beate Rössler, Nathan Tarcov, Ludwig Siep, and Robert Stern. In ways I would not have anticipated, conversations and engagements with Michael Fried about the nature and history of modernism in painting and photography, and especially a brilliant seminar Fried gave at Chicago in 2004–5, proved extremely illuminating about a variety of issues addressed in this book. I would have approached a number of issues differently and, at least in my view, not as well had it not been for the benefit of Fried’s work, conversation, and friendship. (I am also grateful for his help in securing permission for the wonderful Menzel on the cover.) Finally, there is no way to acknowledge properly the debt I owe to graduate students in Social Thought and Philosophy over the last decade of seminars on Kant, German Idealism, and Hegel. I am especially grateful to three research assistants for their invaluable and diligent help in the preparation of the manuscript: Mark Alznauer, David Possen, and Jonathan Baskin.

Versions of some of the chapters that follow often appeared first, sometimes in very different and early form, in journals and collections and I am grateful for permission to reprint here: chapter 2 first saw the light of day in *The European Journal of Philosophy*, vol. 7, no. 2 (1999); chapter 7 in *The European Journal of Philosophy*, vol. 8, no. 2 (August 2000); chapter 8 in *Internationales Jahrbuch des Deutschen Idealismus*

International Yearbook of German Idealism, vol. 2 (2004); and chapter 9 in *The Southern Journal of Philosophy*, vol. XXXIX, Supplement, “The Contemporary Relevance of Hegel’s Philosophy of Right” (2001). Some other earlier versions of chapters appeared first either in Germany (where authors retain copyright) or in Cambridge University Press publications.

PART I

Spirit

CHAPTER I

Introduction: leading a free life

I

In Hegel's *Encyclopedia* system, what contemporary philosophers would call practical philosophy is called the "philosophy of spirit [*Geist*]." By "practical philosophy" most philosophers nowadays would mean an account of the distinct sorts of events for which we may appropriately demand reasons or justifications from subjects whom we take to be responsible for such events occurring. As it is sometimes put, to focus appropriately on that issue we also need to ask for a broad delimitation of the practical normative domain (whatever is done for reasons, purposively, where reference to such reasons is essential in understanding what was done), and so are asking about the possibility that there are these distinct sorts of events, actions, things done for reasons.¹ That there may be no such distinction, that there might be just natural objects and their properties and ontologically uniform natural events, has been a major issue in modern practical philosophy for some time now. We often ask as well, sometimes as an independent question in practical philosophy, sometimes as tightly interwoven with an answer to the first, for an assessment of what rightly should count as such reasons or justifications, as distinct from what subjects might as a matter of fact themselves count as such reasons.² In accounts that tie acting well to the exercise of practical reason, these discussions obviously include claims we take to be of the

¹ See Anscombe's well-known account of "a certain sense of the question 'why?,'" in Anscombe (2000), pp. 11ff.

² As we shall see, the most distinctive feature of Hegel's account of this issue is that he treats the boundary between natural events and spiritual activities not as a hard and fast either/or. There can be considerable overlap of issues regarding the sort of account that would be appropriate. This is clear in his unusual account of "Anthropology" and such issues as the relevance of geography and diet and unreflective habits of mind characteristic of a people or tribe as all parts of an account that is still essentially of human conduct, not animal behavior. This can lead to some unusual discussions. See for example, his account of boredom at EPG:92; PM, 69.

highest importance – ethical and moral sorts of reasons, questions of right or justice, etc.³

Within his comprehensive practical philosophy, the heart of Hegel's answer to both sorts of questions consists in a theory of freedom. This theory is at the heart of the account of the ontological distinctness of actions, and at the heart of what could loosely be called Hegel's value theory. The basic features of this theory are well known, at least in a textbook sort of way, but it also comes with presuppositions and implications that either resist attempts at interpretive clarity or, if clarified in a certain way, have seemed quite objectionable. The theory ascribed to Hegel in what follows has two basic components: that for Hegel freedom consists in being in a certain reflective and deliberative relation to oneself (which he describes as being able to give my inclinations and incentives a "rational form"), which itself is possible, so it is argued, only if one is also already in certain (ultimately institutional, norm-governed) relations to others, if one is a participant in certain practices. This account is resistant to any analysis of these forms of self- and other-relation that would isolate the possibility and the very content of any self-understanding from social and political structures at a time, so it is much less straightforwardly psychological than many other modern theories.

This is the feature of Hegel's account that is probably the most well known, but mostly with respect to the question of the nature of social norms, social institutions, and social practices. That is, it is well known that Hegel is an opponent of "methodological individualism" in accounts of such things. Such norms, institutions, and practices should not, in his view, be accounted for as built up out of, or as consisting in, or as sustained by, the individually held beliefs or commitments of individuals, or as created by the individual decisions (or putatively undistorted rational choices) of individuals. Being opposed to this view means one holds that there would be no possible content to such individual mindedness unless such individuals were not already members of complex social networks, or that the relation of dependence between individuals and social structures does not go from social structures to the individuals who sustain it, but the other way around. I want to suggest something

³ We also obviously demand and give reasons for what we believe, and while Hegel is suspicious of any strict separation between theoretical and practical reason (see the discussion in chapter 5), and as insistent on taking account of conceptual change in both arenas, a full account of the relation between theoretical and practical "sense-making" would be an independent study. I shall here just concentrate on the practical issue. Some suggestions about how Hegel views the general problem (the theory of conceptual content) is given in chapters 3 and 4.

much stronger: that Hegel thinks that something like this reversal of methodological individualist logic is necessary to explain the conditions of the possibility of agency itself.

This last point will quickly become quite complicated. Along with many of the features now taken for granted as constitutive of an event counting as an action – that it be intentional under some description, that it admits a distinct sort of response to a “Why?” question, that it involves some sort of relationship between conative and doxastic elements, and so forth – I want to say that Hegel adds an element not usually raised and which leads him to the issues of sociality just suggested. Put most simply, for the action to count as mine, it must make a certain kind of sense to the agent, and that means it must fit in intelligibly within a whole complex of practices and institutions within which *doing this now* could have a coherent meaning. In Hegel’s account, I can bring about something, and know what it is I am doing, and can have reflectively endorsed the action as, all things considered, what I ought to be doing, and can be doing it voluntarily, uncoerced – parading up and down in front of a reviewing stand, say – yet the action could be part of a practice that has either gone dead in a certain way, or requires of the agent further commitments incompatible with others necessary within some form of life. On some very minimalist conception of “conditions of agency” we still might want to say that the parading was an action, at least in the sense that it is not an event like other naturally occurring events. But on the view of Hegel’s I want to explore, this would not be a sufficiently wide view of the conditions of agency necessary in order to capture what is important in marking someone off as an agent and a deed as an attributable action. On his view, that is, all of the standard conditions could be fulfilled, yet we would not want to say that the action is truly “mine,” such that I can fully or truly stand behind it, own up to it, claim ownership of it.⁴ (A society in which the role of parenthood changed such that one found the new requirements “without meaning” or incoherent would not be one in which I simply found that my preferences were not being satisfied, although it is always possible and trivial to re-describe the situation that way.) And these sorts of conditions of meaningfulness are not aspects I can secure or achieve alone, either by some form of reflection or decision or by getting clearer or seeing better. It is certainly possible

⁴ Again, this way of thinking about the issue assumes the possibility of degrees of agency and thus degrees of freedom. Ultimately it also requires Hegel’s Aristotelian account of partial realizations understood as partial because of some whole or full realization.

that an individual can, *qua* individual, suffer some failure of meaning, as in pathological boredom or depression. But any given social world is also a nexus of common significances, saliences, taboos, and a general shared orientation that can also either be sustained or can fail. Indeed one of the most interesting aspects of such a social condition, shared meaningfulness, or intelligibility, is that it can fail, go dead, lose its grip, and a very great deal of what interests Hegel is simply what such shared practical meaningfulness must be that it could fail, and how we should integrate our account of action into a fuller theory of the realization of such a condition and its failure. (His general name for the achievement and maintenance of such a form of intelligible life is "*Sittlichkeit*" and his case for this sort of priority of *Sittlichkeit* over strictly individualist accounts of mindedness-in-action has not, I want to argue, been properly appreciated.)⁵

The essential desideratum for Hegel in any theory of freedom like the above is a demonstration of the possibility of an actual and experienced identification with one's deeds and practices and social roles, the conditions necessary for the deeds to be and to be experienced as my own. This is what allows him to assume that one might be said to have uniquely, causally brought about some deed as the result of some psychological process and mental causation, and to have done so upon rational deliberation, but that one could still experience one's own deeds as strange, alien, only a partial "expression" of who one is. (This is the crucial issue in any self-realization theory of freedom like Hegel's.)

Secondly, these relational states of individual mindedness and common like-mindedness are argued to be constitutive of freedom, to render such an identification possible (such that I can stand behind, own up what I have done as truly mine) because they are *rational*. (That is the key condition of the intelligibility issue noted above.) Accordingly, so Hegel purports to show, there are a variety of commitments in the modern world⁶ that can be shown to be indispensable elements of a rationally

⁵ This is not the sort of "priority" which aims to treat individuals as mere epi-phenomena, or as less "real." It is also true that for Hegel there could be no such thing as this determinate common mindedness or *Sittlichkeit* unless individuals were minded in some way rather than another. He is quite aware (as in his discussion of Socrates) that in periods of crisis all commonality can break down, and individuals are "thrown back on themselves" for normative balance.

⁶ Even with such extremely vague and abstract formulations, problems begin. The formulation suggests a commitment-free agent deliberating and opting for one or another commitment. Hegel's picture is of "always already" institutionally bound persons capable of deliberating retrospectively about the "objective rationality" of such positions. His account places much less emphasis on the issue of choice than virtually any theory other than Spinoza's. For his clearest criticism of

sufficient and therewith free life. One of his clearest formulations occurs in the *Lectures on Fine Art*:

In a state which is really articulated rationally all the laws and organizations are nothing but a realization of freedom in its essential characteristics. When this is the case, the individual's reason finds in these institutions, only the actuality of his own essence, and if he obeys these laws, he coincides, not with something alien to himself, but simply with what is his own [*mit ihrem eigenen*]. Freedom of choice [*Willkür*], of course, is often equally called 'freedom'; but freedom of choice [*Willkür*] is only non-rational freedom, choice and self-determination issuing not from the rationality of the will but from fortuitous impulses and their dependence on sense and the external world. (A, 98; TWA, Bd.13, 136)

In one of his most challenging and interesting claims, Hegel argues that this means that such deeds and practices can be said to be both "subjectively" and "objectively" rational (as indicated by the emphasis above). Hence again the unique aspects of Hegel's theory: he denies that we can separate the moral-psychological, individual dimension of freedom (the possibility of the "freedom of the will") from social relations of dependence and independence said to be equally constitutive of freedom (the freedom to act), and he assesses these social arrangements in light of their rationality, even though he does not have a wholly subjective or faculty or psychological view of reason, as if reason were a power an individual could exercise in trying to figure out "what anyone" or "any impartial judge" would do. Hegel has what could be considered a historicized or social or pragmatic conception of practical reason. He understands practical reason as a kind of interchange of attempts at justification among persons each of whose actions affects what others would otherwise be able to do, and all this for a community at a time. My purpose in the following is to defend the interpretive claim that these are Hegel's views and to propose a defense of the claims themselves against various objections.

But difficult problems emerge immediately. In the first place, this is not the way Hegel would formulate the issue. He takes himself to be a systematic thinker and so would be quite wary of such a delimitation of topics, at least without a great deal more scene setting whereby the ultimate inseparability of such a topic (freedom) from several others, especially in what he calls a "*Science of Logic*," could be made out. Although these systematic ambitions have led to a good deal of criticism

considering the problem of freedom as the problem of *Willkür*, the freedom of choice, see the Remark and the Addition to §15 in *The Philosophy of Right*.

of Hegel and supposedly make his philosophy dated and of mere historical interest, the core issues in practical philosophy have always been extremely difficult for any philosopher to isolate. They raise issues in philosophy of mind, self-knowledge, first-person authority, the nature of rationality, causation and ontology, the metaphysics of action, and many others. Any treatment of such a range of issues must remain consistent, must fit together in some way, and by and large that is all a systematic treatment means.⁷ So Hegel's explicitness and ambitions about such inevitable systematic requirements are in themselves not that unusual, and can even be quite illuminating, as I hope to show. I will not explore every aspect of the logical issues involved but no adequate treatment of Hegel's practical philosophy can ignore claims about the relation among "idea," "concept," and "actuality," the claim that "the Concept gives itself its own actuality," that "spirit is a product of itself," that "the inner" and "the outer" in human actions enjoy a relation of "speculative identity," and several other indispensable components of his overall argument.

But generalities aside, there are three aspects of Hegel's distinctive treatment that have generated the most controversy and which cannot be avoided in any adequate interpretation.

The historical dimension of the systematic project is notorious in its ambition. Hegel's account of what makes an event a deed (truly or fully), and even a righteous or evil deed, appears to be inextricably linked to the grandest of grand narratives, an account of a continuous human (more properly, in his account, Western) struggle to understand what it is to be a human being; a progressive self-educative enterprise with a beginning, middle, and some sort of end (wherein we learn that we are absolutely free beings, and therewith learn what a free life consists in). Hegel, in other words, tries to do justice to the fact that attention to the possibility and importance of freedom, at least when freedom is understood

⁷ I concentrate here on methodological systematicity. That is admittedly a simplification of a much deeper problem in Hegel's treatment of practical phenomena. To wit: at the end of the day Hegel will want to deny a profoundly important pillar of modern liberal thought, the "autonomy" of various value spheres or normative domains, the irreducible and incommensurably different domains defined by the good versus the bad, the beautiful versus the ugly, the useful (having exchange value) versus the useless (not having such value), the sacred versus the profane, the just versus the unjust. Those who have such objections to this aspect of liberalism in favor of some more holistic or even "totalistic" approach have often argued to the comprehensiveness of religion, as in political theology, or of politics or of economics, and have rightly inspired much suspicion. One way or another Hegel will want to see all such norm-governed activities as manifestations of the actualization of freedom. Before we can understand what he means by this, and why he thinks that normative perspective is so comprehensive, we must begin with the problem of what he understands by the "actualization of freedom," and this study undertakes that preliminary project.

as self-determination of some sort and when freedom so understood is counted as a possibility for each individual, not merely a few, and as universally valuable, is all relatively recent in the philosophical tradition and is characteristic especially of the modern Western epoch in philosophy. One might then ask: why and when did the theoretical question begin to look the way it now does, and why and when did the political question of justice come to depend so much on the question of freedom?⁸ Of what significance is it that the modern Western epoch (apparently) alone understands itself (if it does) as the aspiration towards a free life for each, in common, and what does it mean that for many centuries in this tradition this aspiration was not a significant factor in the political lives or philosophies of human beings otherwise very much like us?

In the second place, the most controversial element of Hegel's systematic treatment is a deep suspicion of the ontology often presupposed as an unquestioned matter of course in modern discussions of action, agency, and freedom – the isolation of subjects as ontologically distinct individuals and of a subject's reasons as episodic or dispositional and perhaps uniquely causal mental states. As we shall see, for Hegel, by contrast, a certain sort of mindedness is constitutive of and so inseparable from the action itself, and being an individual subject is something like a collective or social normative achievement and the putative independence of such subjects is thus always intertwined with a distinct sort of profound, even ontological dependence.

In the third place, and because of this systematicity, Hegel has a great many other things to say about the nature and activity of "spirit" (*Geist*," Hegel's terms for the distinctly human form of mindedness and the distinctly human doings he counts as actions) than those aspects that intersect with questions of normativity, action, and our justification of deeds to each other. Some of what he says has few contemporary resonances and is obscure. *Truly* self-sufficient (and so free) activity is ascribed only to something called "the Absolute," and Hegel sometimes seems to describe "the work of reason" as if that work were a real element in the universe – indeed, as if it were the underlying structural element of the whole, the "*most* real" element – and to reject accounts that construe reason as anything like a mere human faculty or power.

⁸ It is of course possible to distinguish the question of the nature and extent of human freedom (what it would be to act freely) from questions of metaphysics, to distinguish the question of the social and political conditions of liberty from the question of the freedom of the will. As already briefly noted above, given the systematic ambitions just mentioned, Hegel does not divide things up this way.

However, precisely because he is a systematic and in his famous term “dialectical” thinker, we can assume with some initial confidence that Hegel cannot mean to deny the legitimacy and indeed unavoidability of distinct questions about the relevant characteristics of action just *qua* action (as performed by responsible individuals), about the nature of human freedom (the domain of what he calls “subjective spirit and objective spirit”), and the right way to understand the quality of the reasons appealed to by individuals in a society at a time, even when all are understood in their proper systematic context, not to mention the relation between the quality of those reasons and the degree of freedom realized. It is never the case that when discussing the nature–spirit relation in the *Encyclopedia* or the role of morality in objective spirit or, especially, the progressive and elevated nature of the individual experience of freedom in modernity when compared with antiquity, that he appeals directly to some sweeping claim about the necessary “unfolding of the Absolute” in order to *account* for some claim he wants to make about a deficiency or a transition to a more adequate understanding of spirit in some picture of agency or some claim of right. According to his own treatment, the domain of human action and the problem of freedom deserve their own sort of account; Hegel tries to provide one, and he does so in terms internal to the topic at issue. Such questions are not simply “cancelled” when they are progressively “elevated” and “transcended” (“*aufgehoben*,” in Hegel’s famous triple-meaning term), whether that development ultimately links individuality with social dependence, insists on the inseparability of a subject’s putatively privately “owned” intention with a public deed, or insists that the intelligibility and justifiability of any such deed is also always “institution-bound” in some way. Even within an appropriately broader context, individual subjects still exist as such and they remain reflective and social agents, and the way individual subjects construe what it is they are doing and why still play essential roles in Hegel’s account.

This is not to deny that such a relatively independent treatment of the problems of agency and ethics as proposed here can be indifferent to Hegel’s systematic ambitions. But part of how we should be guided in attempting to understand *those* ambitions must be an orientation from the way the parts are treated. For example, in the traditional interpretation, finite human subjects are understood to become free when they realize – primarily in philosophy, but in mediated forms of awareness or self-knowledge present in art, religion, and ethical life – that they are not merely finite but also vehicles in some sense of the self-realization of “the

Absolute.” Whatever this somewhat vatic expression means, it cannot be interpreted to mean that the determinate struggles of finite subjects to free themselves from the contingencies of nature, to understand their world and to accommodate themselves somehow to other subjects should all be ultimately understood as mere “appearances of such an Absolute,” that *that* alone is what we need to understand about them. As we shall see in countless instances, Hegel does not appeal to such a cosmic plot when he is trying to comprehend some failure, impasse or resolution in such a process. Those issues are always discussed determinately and internal to the process or development in question. Hegel would hardly be the dialectical thinker he proclaims himself to be if everything were to be “swallowed up” in the process of the self-expression of some Divine Mind. It is true that he wants to say that finite subjectivity, conceived just as finite, is not wholly intelligible to itself in its agency and knowledge, and comes to be intelligible when it understands itself as an “manifestation of the Absolute,” but this means that there is a *logic* of such a self-realizing agency and self-aware knowledge “on which” such subjects “depend.” He means simply to say that the developmental process of the self-realization of human freedom *can* be understood, and that every other aspect of any intelligibility depends on, presupposes, the proper understanding of this process. It is “absolute.”

II

Moreover, despite such difficult systematic ambitions, in his practical philosophy Hegel is also much more like than unlike many other modern philosophers in that decisive respect mentioned at the outset. The central problem for him concerns the condition taken (at least by the school of thought to which he belongs) as necessary for such a delimitation of a class of events as actions: freedom. Underlying Hegel’s treatment of those two main issues in any putative practical philosophy – the claim that some events (actions) must be accounted for, explained, in a distinct way, and the account of the norms that ought to guide such distinctly human engagements with self, world, and other humans – is his own distinct and unprecedented account of freedom.

Given such a desideratum, there are a very wide variety of well-known ways of satisfying such a condition, and Hegel situates his approach by contrasting it with these other accounts, according to such a criterion. We might say either that the deeds resulted from the distinct, causally independent choices I made as a distinct individual in the world and that

I could have chosen otherwise (that I am uniquely causally responsible, by an act of will, for what happened); or that the deeds somehow objectively manage to express successfully my own individuality; or that the right sort of causal connection between my desires, dispositions, and beliefs establishes this connection (without any causally independent choice) such that I can recognize my own agency and decision in the deeds and projects; or that, if the act is to count as free, I can, at some second-order level identify with the intentions I form and the deeds and projects thereby produced at the first level, all such that they don't seem alien, as if belonging to someone else or as if fated or coerced or arbitrary or practically unavoidable, and so forth.⁹ Hegel's "relational state" theory – that freedom requires a certain sort of self-relation itself possible only as embedded within certain relations to others, and that the theory must be a rationally "expressivist" not a "causal power" theory – is intended as his answer to these sorts of questions.

Hegel is however unlike almost any other modern philosopher in the often revisionist, original character of his proposals and of course in the largely original, sometimes very frustrating terminology that he invented to state the issue properly, as he saw it.¹⁰ That is, the account is revisionist in that he is frequently out to re-frame the question at issue in practical philosophy, and not so much out to answer the traditional or canonical questions, even while he wants to remain in touch with the basic intuitive dimensions of the problem itself. I mean that however revisionist, his account must be understood to rest first on an ontological account of the kind of being taken to be genuinely responsive to practical norms, and on a general theory of normativity itself. So [part I](#) of the book will explore Hegel's claims about spirit, the relation between spirit and nature, the extraordinary claim that spirit "is a product of itself," and that norms must be understood as self-legislated, or in Hegel's unusual language that a practical norm or concept "gives itself its own actuality." This will lead us in [part II](#) to Hegel's account of the self- and other-relational states that he thinks concretely realize the theory of freedom defended. In [part III](#),

⁹ Frankfurt (1971). See also the interesting discussion by Segal (1991) of "locus" theories of the self, p. 88 ff. The extreme difficulty of the question is already apparent, even in the statement of the desideratum of a theory of freedom, against which candidates' accounts are to be measured. The candidates are just as much *arguing* about the desideratum as contesting for the claim of having fulfilled it.

¹⁰ His role models in accounting for the nature of human activities and practices, and for the nature of freedom, are, respectively, Aristotle and Spinoza, although I shall not be able to trace those connections here.

I will turn to the underlying theory of sociality appealed to at both the theoretical and practical level of Hegel's case – his theory of recognitive status and institutional rationality. Here is a rough summary of the chapters to follow.

III

Chapter 2. If one glances at Hegel's *Encyclopedia*, it would appear that he accepted Kant's basic formulation of the deepest metaphysical issue at stake. That system is divided into what looks like the basic or foundational enterprise,¹¹ a "Science of Logic," or his own version of a theory of concepts and the possibility of conceptual content (an account of all possible account-giving, as it were); and then into a "Philosophy of Nature" and a "Philosophy of Spirit"; or it relies on some argument about why the very possibility of intelligibility at all requires just such delimited domains of rendering-intelligible, that successful explanations must be accounts either of nature or of spirit. (There is obviously a rough parallel here with Kant's architectonic and the relation between the first *Critique* and *The Metaphysical Foundations of Natural Science* on the one hand, and *The Metaphysics of Morals*, on the other.) Hegel also divides up the domains of nature and spirit in roughly the same way as Kant, as between the realm of necessity and the realm of freedom, or between events for which causes can be sought (which stand under laws, which laws, together with empirical initial conditions, determine a unique future) and actions for which reasons may be demanded (which are enacted because of, in Kant's famous words, "*conceptions of law*").¹² But Hegel's account of the necessity for such a delimitation of a separate realm of spirit does not rely on any Kantian claims about the mere phenomenality of nature and the unknowability of things in themselves and certainly not on any substance dualism. Hegel leaves no doubt that he considers a philosophy which leaves the status of our fundamental claim to respect as free agents "unknowable," which permits only the practically unavoidable assumption of freedom,

¹¹ This is difficult to state precisely. It would appear to mean: that account which is presupposed by any other but which does not itself presuppose any other. But that would not be correct, since Hegel insists that the right image for his system is a circle, not this sort of edifice. But for present purposes we need only stress the greater importance of the *Logic*, and such a summation is relatively harmless.

¹² "Everything in nature works according to laws. Only a rational being has the capacity of acting according to the *conception of laws* (i.e. according to principles)" (F, 29; GL, 412). See also CprR, 17–18; KpV, 19–20.

unworthy of the name philosophy, and should rather be considered a mere "faith," or a species of religion (GW, 344; FK, 94).¹³

Various themes in such a "philosophy of spirit" are divided up into philosophies of subjective, objective, and absolute spirit. These correspond roughly to accounts of the possibility of different forms of determinate mindedness.¹⁴ There is first a form of mindedness, habituated dispositions oriented from some considerations about normative appropriateness, still deeply embodied in and deeply influenced by the natural world but for which natural explanations seem (in considering greater orders of complexity in the activities of such beings) less and less appropriate, satisfying. Hegel's approach is, as indicated, gradualist and theoretically reconciliationist, and this already means that any account of what spirit is must also be able to appreciate these more naturally embodied and less wholly self-determining characteristics. Fully reflexive, free human mindedness can be understood only as the realization of a possibility with a number of degrees of realization, beginning with a sort of mindedness very greatly influenced by such natural factors as diet and climate but not, strictly speaking, produced or caused by such factors. In Hegel's terms, at this level, we have not yet, by a kind of labor both physical and mental, separated ourselves from the dispositions and inclinations we are naturally heir to, but we *could*, potentially, and that changes how we should understand the relevance of these natural elements in any explanation of what we do. (And, again, this sort of appeal in Hegel's account of "anthropology" to a "hybrid" of physical and intentional-reflective concepts already means that the question of whether we are free cannot be the either/or way it is, for example, in Kant.) In the language we shall investigate below, since *spirit* is said to be the "truth" of nature, it is founded on or emerges from a kind of natural complexity. Everything about spirit is embodied in and expressed in, nature, and in no sense can ever be considered supernatural. (Even the "highest" manifestations of thought, Hegel insists, require the sensible embodiments of

¹³ For more on the relation between Kant and Hegel on the "limitation of knowledge" theme, see Pippin (1991a).

¹⁴ As far as I know, Hegel does not use the rough German equivalents for these Wittgensteinian terms ("*gesinnt*," or "*gleichgesinnt*," perhaps). But since his account of spirit is not an account of what he calls a "soul thing" (*Seelending*), or of mental content, ideas, or subjective forms, another term is needed that will not immediately suggest subjective states of mind, states of consciousness, or the grasping of a content. In Hegel's account, understanding such a content *is* being minded in a way and that means something like having the capacity to wield a notion appropriately. Cf. the "Introduction" to Pippin (1997a), pp. 1–25.

symbols, sounds, signs, etc.) And on the other hand there are clearly natural events and states that are not at all “*geistig*,” spiritual.

There is next an account of forms of social mindedness, subjects in relation to each other (or the achievement of successful forms of like-mindedness or “objective spirit”); and then the domain of “free thinking,” in relation to what Hegel calls the Absolute, or comprehensive and finally “unconditioned” forms of self-consciousness (religion, art, philosophy, Absolute spirit). He actually admits rather freely that these separations are somewhat artificial,¹⁵ that their inter-relation is much more complex than such divisions will manifest. (In *The Philosophy of Right*, he even claims that it is only with the account of *sociality* in the philosophy of objective spirit that the account of mindedness and action is informed enough to begin to look like a theory of distinct *human* being, that, *contra* appearances, the truly human had not yet appeared in the somewhat arbitrarily separated off anthropological and other “subjective spirit” accounts.)¹⁶

But, surprisingly, the similarities with Kant end here. Spirit is not a “thing” (even “in itself”) or substance in any sense, and the relation between spirit and nature is described in ways without philosophical precedent. So, Hegel’s position is not voluntarist, incompatibilist or dualist. He is in some sense (minimally) a “compatibilist,”¹⁷ or he does not believe, like Kant, that we need to establish a distinct sort of causal capacity (a “could have always done otherwise” capacity or the possibility of uncaused causality) to defend the possibility of freedom.¹⁸ He is not much interested in establishing in detail that freedom as he understands it

¹⁵ Cf. what Hegel says about the “external” forms of transition in the *Encyclopedia* presentation at §575 (EPG:393–394; PM, 314).

¹⁶ Cf. the Remark to §190 in *The Philosophy of Right* (RP, 348; PR, 228).

¹⁷ Schacht (1976) and Parkinson (1985) interpret Hegel as a compatibilist, but this rests on a misunderstanding. For why it is a misunderstanding, see Wood (1990), pp. 150–1, especially this pellucid summary:

It is striking that motivation plays virtually no role in Hegel’s theory of action, because Hegel’s theory of action in effect replaces motives with intentions or (internal) reasons. Instead of asking what psychic factors motivated me, Hegel asks for an explanation of my action in terms of the act-descriptions that supply the reasons I had for doing what I did. (1990, p. 151)

¹⁸ It is only in this sense that he is a compatibilist because he does not contrast his own account with voluntarism by any of the usual compatibilist defenses of “all the freedom worth wanting,” viz., simply being able to do what I want to do. That is incomplete and unsatisfying according to Hegel, but such a charge does not mean for him that I must have been able to do or want otherwise. Whatever the causal story, there are certain reflective, deliberative, and social relations that must be achieved for the actions to count as mine and it is these relational “states” that interest Hegel. Invaluable in understanding the various options on this issue is Kane (1998).

is compatible with universal causal determinism, or with a Leibnizean or Spinozist metaphysics, and his full position on the philosophy of nature, on just what freedom is compatible *with*, is beyond the scope of this book. What is important for my purposes is (a) why he does not worry at all about the “freedom of the will” problem, and correspondingly (b) why he thinks he does not need to establish some unique causal capacity in order to establish the possibility of freedom as he understands it. His lack of interest in the freedom of the will topic is obvious from the fact that he does not much discuss the traditional Kantian issues, not to mention his curt dismissal of any sort of (even noumenal) immaterialism. (The apparent exception on the causality/responsibility issue is the section on “Morality” in *The Philosophy of Right*, which will be considered in a later chapter.¹⁹) And, as noted, the terms within which he states his own view of the relation between “*Geist*” or spirit, and “*Natur*” or nature are quite distinctive. (Spirit, for example, is said to be “the truth of Nature,” and not, say, the “other” of nature, a distinct or non-natural substance, and in a beautiful but very odd phrase he writes that nature is the “sleep” of spirit); the two domains do not reflect different types of substance at all (so Hegel is some sort of aspectualist, or dual aspect theorist), although for other reasons Hegel does insist that the application of the concept of natural causality is “inappropriate” (“*unstatthaft*”) at some level in any attempt to explain the activities of some organic beings.

This complex of claims poses a number of interpretive and philosophical problems. At their center is what Hegel means by that claim about what is “inappropriate”, because that indicates he conceives the problem as one concerning proper criteria of explanation, and why he thinks that at some level of complexity explanations tied exclusively to the natural properties of such beings are insufficient/inappropriate. Spirit must be conceived, he argues, as some sort of collectively achieved, normative human mindedness if it is to be properly rendered intelligible, but doing *this*, as already noted, seems to require some very unusual formulations: that spirit is its own “self-liberation from Nature,” that spirit “is a product of itself” (*Produkt seiner selbst*) and that its actuality (*Wirklichkeit*) is that it “has made itself into what it is” (*dass er sich zu dem gemacht hat was er ist*) (PSS, 1:6–7). (Such language is of course the source for a good deal of later “left Hegelian” humanism, wherein the “self-making” character of human being was stressed and ultimately tied to a

¹⁹ In chapter 6.

“real” liberation from natural necessity through the labor process.) One of the implications of the interpretation I am presenting is that this later move represents a kind of regression to an Aristotelian or naturalist essentialism, one which borrows a teleological logic of such “natures” that abandons rather than completes the Hegelian project. The key and very controversial point to be defended is: Hegel’s self-making model is not derived from Aristotelian notions of natural growth and maturation into some flourishing state, but from a claim about the self-legislated character of all normativity. If spirit is something like the achievement of a collective normative like-mindedness, then there are such norms and we are subject to them only because we have legislated such norms and thereby subjected ourselves to them. How to make such a claim less metaphorical and especially how to preserve some claim of normative *necessity* such that this direction does not turn into a form of speculative sociology or even philosophical anthropology but retains an account of real, genuinely binding, and justifiable normative force, is a large part of the task Hegel sets himself, or so I argue below.

Chapter 3. An implication of this non-dualist, compatibilist treatment of the nature of and the necessary conditions of agency is that for Hegel the right way to pose the questions of agency (What is it? Is there any?) is not to look around (in the philosophic sense) to see if there actually *are* such beings. His speculative position treats the subject of normative life, spirit, not as a special substance, but much more in terms of achieved capacities and practices that natural organisms can be said to have made over historical time and, especially, in some way “authorized,” demanded from each other, rules and practices that are essentially normative and involve holding each other to account in various ways. Since Hegel clearly does not believe that there are any explicit, self-conscious and collective acts of “bestowing authority,” as if there were periodic *Geist* conventions, what he means by such self-authorizing statuses will require some work to clarify. What is clear is that he thinks that *we make ourselves into actual agents over historical time*. And therefore we arrive at the unusual conclusion so often discussed in accounts and criticisms of Hegel: ancient Egyptians, say, or ancient Greeks, or even early Christians cannot be counted as, “very much,” agents; only “partially” and in a preliminary sense. *Spirit* is, again, said to be ultimately a “product of itself.” This is, as already conceded, a deeply paradoxical formulation. Only agents or moral persons, it would appear, are capable of appealing to reasons and of holding each other to account as responsible persons. The latter status can be a “product” only if that status is already presupposed.

However, yet again we must be careful about what sort of question Hegel takes these remarks to be answering. For, with this sort of paradoxical claim we confront the related and deepest central ambition of German Idealism, the problem they in one sense or another all took themselves to be working on, and which I shall treat here by linking it to some foundational claims about “self-legislation” in Kant’s *Groundwork*: the demonstration of the supreme, unavoidable authority of reason in the undertaking and executing of any human practice, social relation, and institution. As Kant’s successors understood the issue, just by being “*absolutely* supreme,” reason had to possess an unusual “*self-authorizing*” authority. If person, or subject, or agent or spirit are normative terms, ideals we come to hold ourselves to, the result of instituting and sustaining rules and proprieties, then we can be subject to such a norm only by in some sense subjecting ourselves to it, or so goes that puzzling form of argument Kant introduced in his *Groundwork* when he laid out the essential dimensions of human autonomy. Hegel’s claim that genuine agency is the collective historical product of earlier, only partially realized attempts at the actualization of such agency (attempts at an unavoidable normative self-regulation) goes well beyond Kant’s self-legislation model but is not fully intelligible without remembering that origin, and without working through what he (and Fichte) adopted from Kant and transformed. Kant’s view that being an agent involves not acting “according to laws” but “according to conceptions of law” still holds great, decisive force in his successors, as does his claim that a law’s authority and so its genuineness as law, can be explained only by some non-arbitrary act of self-legislation or self-authorization. This will turn out to be a thoroughly “socially mediated” account of human autonomy (as collective autonomy), but the reliance on the German idealist theme of Reason’s self-authorization will be quite prominent. Accordingly, I spend considerable space in this chapter considering the ramifications and lacunae of the original Kantian move (especially as they are manifest in the rich contemporary interpretation that makes the most out of this feature in Kant – Christine Korsgaard’s).

And, again, Hegel is quite aware that our natural intuitions recoil at his extensions of such formulations. As just noted, we intuitively tend to think that agency cannot belong to any class of normatively instituted social norms, like professor, or husband, or citizen, because that would just avoid and not answer the primary (and Kantian) philosophical question: *can* persons *do* what such normative roles and assessments presuppose – act in a way *genuinely* responsive to reasons, and *is* there any

justification for holding them to account when they fail to do so? It seems perversely question-begging to try to construe *that* sort of role (agent) in a way that would seem to presuppose the very abilities in question. Hegel's social and historical version of such a claim, I want to argue, substantially lessens the air of paradox inherent in the self-legislation claim.

Chapter 4. This self-constitution model, expanded to refer to some social collective and across time, is originally Kantian, but as just noted Hegel added his own twists, and two are most important. First he claims that our ordinary canons of explanation and assessment are inadequate for understanding such a self-authorizing or self-legislating authority. As everyone knows, he claimed that we require a “dialectical logic” to do justice to a kind of subjectivity that could be said in some way to be its own normative or self-authorizing “ground.” This is a large topic, but even a brief look at his “*Begriffslogik*,” the “Concept logic” or the culmination of his account of all possible account-givings, his *Science of Logic*, can help make clearer how the somewhat paradoxical notion of self-legislation is at work throughout his project, and especially in his general theory of normativity and agency. On the Hegelian account, freedom is ultimately supposed to involve the right sort of responsiveness to norms; the basis of my possible identification, spoken of earlier, with my own deeds is supposed to consist in my being able to stand behind them and so “own up to them” in a normative way (to myself as well as to others). As we shall see in chapter 2, the basis of such a possible identification with my deeds and so of freedom is, as in Kant and Rousseau, practical reason; being able to own up to my deeds because I can stand behind them on the basis of, can give and demand, reasons, can understand why that ought to have been done. But Hegel locates this account of practical rationality within a far broader thesis and does not consider the exercise of practical reason on the model of an individual reflectively deliberating over possible courses of action. Like many contemporary philosophers, Hegel thinks of thinking itself, awareness of objects, intentionality itself, as inherently rational and so a norm-based activity. (Following Kant, awareness itself is judgmentally structured, a taking to be such and such, and so is inherently and unavoidably a kind of commitment and so much more like a normative pledge than a mere matter-of-fact psychological event.)²⁰ But to account for this, according to

²⁰ The most elaborate and sophisticated expansion of such Kantian/Sellarsian thought is Brandom (1994). See also: “Kant’s big idea is that what distinguishes judgment and action from the responses of merely natural creatures is neither their relation to some special stuff nor their

Hegel, constraint by norms requires what he calls an “objective” as well as a “subjective” logic; that is, a logic of norms and their institutional embodiment. We will need at least a brief roadmap of such a terrain before we can appreciate why Hegel keeps calling the “logic of the concept” the “logic of *freedom*” and how such a claim might illuminate the theory of freedom at the basis of his entire practical philosophy.

Keeping this self-legislation theme in mind will also, I hope to show, help make clearer what Hegel means to say by claiming that a concept “gives itself its own content,” and therewith why a logic of such concepts can be said to be a “logic of freedom,” and finally why he thinks these claims are deeply linked.

This notion of a concept or a norm’s content or “actuality” will also require in this chapter a related further step into Hegel’s speculative philosophy. That other speculative twist concerns his frequent claims that a “philosophical science,” especially one concerned with this topic of normative mindedness in action and its self-authorizing quality, cannot be an analysis of “concepts” alone, or an *a priori* transcendental enterprise like Kant’s, even in a delimited practical sense. Agency is essentially tied to normative notions like reasonable, prudent, good, useful, just, right, and even beautiful or holy, but we need to be able to understand the proper (and so also improper) *conceptual content* of such norms, and so, Hegel says, a philosophical science must be concerned with what he regularly calls the actuality (*Wirklichkeit*) of such notions. He seems to be saying that any successful account of the conceptual content of these notions – the possibility and legitimacy of organizing experience and judgment in some concrete way and not another (and so ultimately an account of the actualization or achievement of subjectivity) – cannot be a distinct, purely *a priori* formal science, but depends on some sort of narrative reconstruction of the various contents delineated by such notions over actual historical time and what he wants to call the logical interconnection among such attempts. That dimension of his case, the link between philosophy and actuality, will require separate and concentrated treatment in this chapter, especially since Hegel is not talking about anything like a merely empirical semantics, a summary of what in fact people have taken such claims to amount to, to allow, license, or proscribe. The theme is obviously linked with the one thing most anyone knows about Hegel if they know anything at all:

particular transparency, but rather that they are what we are in a distinctive way *responsible for*” (Brandom 1998, p. 1).

As a philosophical writing, it [a doctrine of the state, or *Staatswissenschaft*] must stand as far as possible from the task to construct the state as it should be; the teaching which may be available in such a doctrine [such a *Staatswissenschaft*] cannot be a matter of instructing the state as to how it should be, but rather how it, as the ethical universal, should be understood. (RP, 16; PR, 21)

Philosophy is always a child of its time, and philosophy is thus “its own time comprehended in thought.” Any attempt to build a world “as it ought to be” is an exercise in imagination and is arbitrary.

Chapter 5. Just as Hegel assimilates into his own position much of Kant’s language about self-authorizing authority or self-legislated subjectivity, while giving it these dialectical and “actualized” twists, he does much the same with what was for Kant as well as for Hegel the crucial condition of agency: rationality. That is, Hegel can certainly be said also to have a “rational agency” theory of freedom.²¹ At a minimum (but, for Hegel, only a minimum) this means that acting freely involves some sort of capacity to deliberate about what one is inclined to do, to understand what one might do, why one ought to do it, if one ought, and to act *in the light of* such considerations, especially the last.²² Only thereby, goes the claim, can one come to avoid that modern form of unfreedom noted above – alienation – and so avoid that odd-sounding but all too familiar phenomenon, introduced with such drama into Western thought by Rousseau: not experiencing my very deeds as my own.²³ His most concentrated discussion of the role of practical rationality in a free life occurs in the Introduction to *The Philosophy of Right*, and that section is the subject of this chapter.

While such a characterization places Hegel solidly in a modern rational agency tradition that includes Rousseau, Kant, and Fichte, and that extends to Rawls and Habermas, Hegel’s account is extremely unusual and, for a wide variety of reasons, very hard to categorize. For one thing,

²¹ Cf. my “Hegel, Ethical Reasons, Kantian Rejoinders” and “Hegel’s Ethical Rationalism,” in Pippin (1997a). See also Alan Patten’s interesting discussion in Patten (1999) and my review (Pippin 2001b). Alan Wood (1990) also defends an interesting rational agency view, though different from that presented here (see pp. 1–22). Wood’s account is particularly effective at defending Hegel from the criticism that he (Hegel) has neglected the importance of the subjective dimension of freedom.

²² The *locus classicus* in Hegel’s text for this position is again the Introduction to *The Philosophy of Right*, §5–§7. In §4 Hegel also rightly refers us to E §363–399. (Hegel here refers us to HE, the 1817 or Heidelberg edition.)

²³ I am going to assume that the phenomenological fact of such alienation can be taken for granted but it is of course, as its formulation reveals (“my own” actions not truly being “mine”), a paradoxical notion. The best recent discussion I know of is Jaeggi (2005), especially section II, “Sein eigenes als ein fremdes Leben.”

he thinks our picture of rational reflection is distorted if we focus on this individual reflective capacity in such an isolated way (as, ironically, his own discussion in the Introduction more or less does). A lot more has already “gone on” (the manifold dependencies of subjects on other subjects, what anyone always already inherits, cannot be ignored in any theoretical isolation of such an individual) and a lot more “will happen” (in the reception and reaction of others) that is relevant to any determination of “what simply was done,” for this picture or individualist slice of practical reality to count as adequate. For another, despite his characterization of modern institutions as rational, and despite his enthusiastic affirmation of the “principle of modern subjectivity,” the “right” of the subject to reflect on, evaluate, and act in the light of normative considerations (and the right of other subjects to demand such accounts), he is well known for criticisms of Kant that clearly deny that practical reason *on its own*, or “purely,” can be practical. He denies that considerations arrived at by an individual as a result of rational deliberation alone (where reason is understood as pure practical reason and so necessarily formal) could have much content or could be action-guiding (the “formalism” objection), and he raises several question about their possible motivational force (the “rigorism” objection).²⁴ In modern terminology, I have suggested that although he is not a naturalist like Hume, and not a sort of neo-Humean like Williams, we would have to say that Hegel is an “internalist” about practical reasons, although he relativizes the content and possible motivational force of practical reasons to a communal form of ethical life, *Sittlichkeit*, and not to an individual’s psychological motivations, and he does not accept the claim that the true source of all motivation is always “desire-based.”²⁵ And this insistence on the contextualization of reasons within an ethical form of life, or *Sittlichkeit*, is supposed nevertheless to preserve the distinction between what as a matter of fact is simply taken at a time by a community to be justificatory and what is justificatory. Hegel’s outcome is not a relativist one; reasons have both a temporally local inflection and a universal aspiration.²⁶

²⁴ For more on the nature of these two problems and the response by contemporary Kantians, see Pippin (2001a).

²⁵ On Hegel as “internalist,” see “Hegel’s Ethical Rationalism,” in Pippin (1997a), pp. 417–50. See also Knowles (2002), p. 183.

²⁶ The combination of this internalist or contextualizing claim and a later modern lack of faith that there could be, even as historically situated, such universally shareable reasons, is what generates the suspicion that Hegel’s account is unavoidably an indefensible apology for a “Euro-centric” project.

Nevertheless, as Hegel himself often remarked, the difficulties of the speculative theory and his own suspicions about moral individualism, an ethics of conscience, etc., should not obscure the fact that he also wants to defend, in his own way, the *supreme* importance of an individual's free, reflective life, however much he regards it as a necessarily collective achievement. Clearly the problem emerging is what he means by this reflective capacity, since he appears to be pushing us to an unusual form of everyday, socially embedded rather than formal or even, for the most part, explicitly reflective activity. Our reflective capacities are always treated as *aspects* of various social roles, or of our engagement in practices and institutions; any such deliberation is reflection *qua* parent, property owner, citizen, and so forth. His strongest claim is that there is no pure, supremely independent standpoint as rational agent as such and so no moment when one can be said to "step back" from *all* of one's attachments and dependencies and then resolve which are worthy of affirmation. (This possibility of reflective endorsement tests is such a deep feature of the basic picture presupposed by the liberal and moral tradition that the worry about Hegel begins here, with the suspicion that his role-bound conception of reflection does not support the full, robust notions of right, desert, worth, and so forth essential to that tradition.) Here is a typical passage at the conclusion of the philosophy of subjective spirit:

If the account of the idea, that is the account of the knowledge of human beings that their essence, purpose and object is freedom, is speculative, the idea itself as such is *the actuality of human beings*, not something that they have but something *that they are*. (E, 302; PM, 240; my emphasis)

Hegel had earlier denied that the classical Greeks, Romans, and the Stoics had any such worked out notion of freedom, and had praised Christianity for introducing the idea, which he clearly wants to affirm, of the "*infinite worth of the individual as such*." We can now understand, he claims, that the idea of each individual as worthy of the love of God is a kind of manifestation (a representation, or "thought-picture" as he often puts it) of the inherent "divinity" of freedom, of the unusual fact that human beings are, in themselves, "destined for freedom." ("Right is concerned with freedom," Hegel notes in the remark to §215 in his *The Philosophy of Right*, and freedom is "the worthiest and most sacred possession of man.") Freedom, properly understood, counts then as the human good for Hegel, if one wants to put it in such terms.²⁷ The

²⁷ On the "priority of freedom over happiness" in Hegel, see Wood (1990), p. 69 and *passim*.

“properly understood” qualification is obviously the heart of the matter. And, after the passage just quoted, he goes on to suggest, somewhat impiously, that this “yearning” or impulse (*Trieb*) which found such expression in Christianity, will be fully realized, will not remain such a subjective hope or ought, in the *secular* ethical institutions described in objective spirit.

As noted, it is in the “Introduction” to *The Philosophy of Right* that Hegel presents what we would call the moral psychology required to fit the picture of agency he wants to defend. While insisting that concentrating solely on the intra-psychic capacities necessary for self-determination produces a distorted picture, Hegel nevertheless has his own version of such capacities, concentrated in three crucial paragraphs of *The Philosophy of Right*, §5, §6, and §7, and culminating in his unusual definition of freedom in §23. At issue is how he wants us to understand both the subject’s “independence” from the experience of its own motivating inclinations, and a model of reflective rationality that involves neither an external rule over such inclinations nor a merely strategic project for satisfying desires.

These considerations bring us to the heart of Hegel’s account. With this sort of preparation in his speculative philosophy and within these constraints on what, for Hegel, a theory of practical rationality can look like, he must develop his core accounts of action and of reasons for action. The end of his discussion of practical reason in Chapter Five of his Jena *Phenomenology* gives us, I argue, the clearest picture of his general account of the distinctness of actions and of how he wants to account for that distinctness without invoking a causal theory or any standard form of compatibilism.

Chapter 6. It is in these sections of the Jena *Phenomenology* that Hegel gives us a comprehensive presentation of the most distinct and unusual of his claims – that “being rational” (the essential condition for the possibility of freedom, understood under that “identifiability with my own deeds by being able to stand behind them” criterion) has both an “objective” and a subjective” side. The subjective side was the subject of the discussion in chapter 5 and will return in this chapter in considering Hegel’s account of morality. But the claims about the objective status of reasons have a number of dimensions, all of which go well beyond simply the claim that what a subject takes to be justifiable reasons can also actually have that status, are objective in that sense. For Hegel treats *having reasons* as a matter of *participation* in a social practice under certain conditions, practices largely defined by what is accepted and rejected in the giving of and asking for reasons by members whose actions inevitably affect what others would otherwise be able to do. In that sense he does

not assess the quality and standing of putative reasons on the model of a reflective individual trying to determine whether it would make strategically rational sense “if everyone acted like that,” trying to solve a rational cooperation problem, or trying to apply a universality test to determine if everyone could have such a reason (or maxim) at the same time. In this sense, since being an individual at all is understood as a kind of normative status – being an individual who can identify with, stand behind, her deeds – where practical justifiability is the essential condition of the possibility of such standing behind, and where the success of such claims to justifiability is seen to depend already on an already achieved social practice well beyond the limits of mere individuals to effect by acts of will, then we arrive at quite a different sort of picture of well-known Hegelian and Hegel-inspired ideas: for example, that a condition of such independence is a kind of social dependence, as well as that noble nineteenth-century idea that my own freedom depends on the freedom of others. That idea is an implication of the notion that the quality of the reasons available to me in understanding and justifying my deeds is not in the deepest sense “up to me,” and is inextricable from the nature of the social practices (practices that inevitably involve relations of power and recognition) at a time. It also assumes that there is no possible individual standpoint from which it makes sense to evaluate whether we should give allegiance to a social institution or not, that participation in such an institution is *transformative* and so one’s status as a *member* is not com-mensurable with the abstract status as *individual*.²⁸ This is a picture different from one that would be the case with a more straightforward ontological or philosophically anthropological claim. The dependence is normative and constitutive in the sense just sketched.

But the core dependence claimed, even in this normative sense, generates a number of implications which Hegel follows through with admirable consistency even if with many counter-intuitive implications. (For one thing, he certainly accepts some aspects of the moral luck problem familiar to Aristotelians.)

In PR §153, Hegel presents his affirmation of such dependence in his own speculative language:

The right of individuals to their subjective determination to freedom is fulfilled in so far as they belong to ethical actuality [*sittlichen Wirklichkeit*]; for their

²⁸ Someone who wonders whether he has egoistically sound reasons to be a good father or a good friend and acts accordingly is *ipso facto* not being a good father or a good friend.

certainty of their own freedom has its truth in such objectivity, and it is in the ethical realm [*im Sittlichen*] that they actually possess their own essence and their inner universality. (RP, 303; PR, 196)

But in his gloss on such a claim he says, simply,

When a father asked him for the best advice about the best way of educating his son in ethical matters, a Pythagorean replied: 'Make him a citizen of a state with good laws.' (RP, 303; PR, 196)²⁹

Such claims have generated the most criticism of Hegel's political theory (e.g. from Popper's picture of Hegel as an enemy of the "open society," Berlin on the dangers of "positive liberty," to Russell's famous quip that Hegelian freedom is the freedom to salute the police). But of course Hegel never says anything like "The common good has precedence *over* the individual good," or that the individual must *stop* thinking for herself and *just* obey the law, or that individuals don't *really* exist, that only some supra-individual ethical substance exists (as if Hegel were an "organicist"). The claim for the inseparability of subjective (reflectively determined, conscience-based) and objective (the collective norms one has been socialized into, the role of the reasons one offers in a social practice), or of the inner (intention) from the outer (publicly performed deed) are not supposed to be the reduction of all such first terms into the second. Hegel's frequent account of the insufficiency of the Greek form of ethical life was that they trusted too much to habituation and unreflective habits of mind in understanding the subjective side of ethical life and he is explicitly critical of what he takes to be the ethical attitude on view in Sophocles' *Oedipus Rex*, where blame seems assigned "merely objectively," without consideration of what the individual should have or even could have known. And Hegel certainly accepts the contemporary notion that it is criterial for an action being an action that it be intentional under some description, and so requires as a necessary component the agent's take on what is happening. Whether Hegel can in fact, as it appears at first glance he wants to, have his cake and eat it too like this is the topic that must be broached in this chapter.

There are also three more concrete implications of this approach that require a hearing. First this intertwining of what a subject could take to be, and could offer another as, a reason for an action, within objective,

²⁹ Hegel repeats in Hotho's Addition, "The individual attains his right (*kommt . . . zu seinem Recht*) only by becoming a citizen of a good state" (VPR, 3:499).

already established norms, means that Hegel considers it misleading to treat reasons for actions as components of an exclusively mental mechanics. When Hegel says that “subjective determinations to freedom” are only actual “*im Sittlichen*,” or as moves in some social practice, he seems to be trying to explain why he does not only consider beliefs about ends to be attained or about values and desires to attain them as a subject’s proper practical reasons. Reasons are “objective” too, and so are just as much considerations offered like “because there is a contract,” “because I am a father,” or “because I am a citizen.” These *facts* are reasons to act or forbear from acting without our having to add on “given that I want to be a good father,” etc. or “given that I value the role of father as a good in itself.” These characterizations would imply a separation between a subject and his roles that Hegel wants to deny without also collapsing such a subject into such roles, as if thoughtlessly and automatically acting out such roles. Obviously a tall order.

Moreover, here is a typical claim about “inner and outer.”

A human being – as he is externally, i.e. in his actions (obviously not in his mere bodily externality), so is he inwardly; and when he is virtuous, moral, etc. only inwardly, i.e. only in intentions, dispositions and when his externalities are not identical with this, then the one is as hollow and empty as the other. (EL, 274; EnL, 197)

Or, “[t]he true being [wahre Seyn] of man is rather his deed,” and “the individual human being *is what the deed is*” (PhG, 178; PhS, 193).

It is not that actions are unique by being explicable in reference to unique mental causes (beliefs and desires, intentions), but the true determination of intention can only be retrospective, as if there is no way to identify an intention as prior cause. The “actual” intention is “in” the deed, and in some cases this means that we cannot fully know what we intended to do (what we were truly committed to doing) until after we act. This seems totally contrary to our intuitions about weakness of the will (I had the intention but did not have the resolve to carry through), any number of types of excuses (thanks to various contingencies, what I ended up doing, what was actual, was not what I intended, and I did not change my intention), and so forth. Understanding what Hegel means and why he says it will be the task of this chapter.

Chapter 7. This will put us into a position to consider the right way to understand the basic sociality claim in Hegel’s practical philosophy: that, as already mentioned several times, being a free agent is a kind of normative status, the content and very possibility of which depends on *being*

recognized as, taken to be such, a free agent within a community of mutually recognizing agents. This will first of all introduce a number of interpretive controversies. Many Hegel scholars believe that Hegel abandoned a promising social theory of subjectivity as essentially (a historically mediated) intersubjectivity for a much more metaphysical theory in which individuals were mere moments within some Absolute Subject's manifestation of and "return to" itself. I dispute that claim in this chapter and try to show how the theory of recognition is meant to answer the question of the nature of freedom posed virtually everywhere in Hegel's work, early and late.

Philosophically the question then becomes clearer if also harder to answer. The main philosophical question at issue is simply: why does Hegel think a subject cannot be free alone (a question distinct from the practical question of the cooperative conditions for the successful exercise and protection of freedom), especially why does he think that subjects cannot be free unless recognized by others in a certain way, and what is involved in such recognition? Can't I be free whether or not anyone else notices, acknowledges me, assists me, expresses solidarity with me, etc.? (There is little doubt that, for all the odd-soundingness, this *is* Hegel's position. He often says such things as that true freedom "consists in my identity with the other. *I am only truly free* when the other is also free and is recognized by me as free" (EPG, §431, my emphasis) Or: "The freedom of every individual exists *only insofar* as he is recognized as free by others, and others have in him the consciousness of their own legitimacy . . . I am free, *insofar* as others are free, and I let them count as free just as they let me count as free . . . This is the realization of self-consciousness as self-consciousness . . ." (VPG, p. 175; LPWH, p. 194, my emphasis).)

The framework properly set by answers to these questions makes it possible to pose the most difficult and comprehensive question for Hegel's theory of freedom and so his practical philosophy generally. Like many other modern philosophers Hegel argues that the actual exercise of freedom under modern conditions has to be understood as unavoidably (at least initially) conflictual. Almost everyone, from Machiavelli and Hobbes to Kant and Fichte, recognized that in any philosophical consideration of the exercise of an individual's freedom, one cannot avoid taking account of the conflict between such an exercise and someone else's. In many cases, this involves simple empirical assumptions and the problem at issue is strategic. Under the assumption of a finitude of resources, any exercise of the will could be said to close off a possibility

another would otherwise have. All reflective subjects can anticipate such a possibility and seek to prevent it, and we have either the war of all against all, or a situation of such simple confusion that the most basic of distinctions necessary for the achievement of any purpose, between mine and thine, cannot be secured (as in Kant's account in his *Rechtslehre*).³⁰

The situation is somewhat worse (because the stakes are so much higher) for Hegel, because he ties the possibility of my *status* as a subject or agent at all to the outcome of this imagined conflict, which he famously called a "struggle to the death for recognition." Subjects in his reconstruction of the necessary conditions for such a status, cannot (without question-begging) be understood as originally just "subjects" but must be understood as originally in positions of power or powerlessness, as masters or bondsmen. Virtually everything at stake in Hegel's practical philosophy – the notion of spirit as an historically achieved status, the dependence of individuals, even in their "inner" lives on the public world inhabited by others, the possibility of reasons that could be shared with all, the possible success of the modern practice of relying so much on the giving and demanding of secular reasons as the supreme social authority, and much else – comes down finally to his own theory of recognition and its objective realization over time and in modern ethical life.³¹

Chapter 8. I have noted that Hegel is extremely suspicious about a picture of a solitary individual acting solely on the basis of these deliberative results, especially when that "on the basis of" is interpreted as the possession of some causal power. This means that he does not think that these deliberative results, reasons, could be said to motivate an action on their own, as in his "rigorism" and "formalism" criticism of Kant's version of the idea. The content of whatever turns out to be deliberatively compelling can never be said to be the mere result of individual ratiocination alone. Hegel infers this from the fact that such a content changes so dramatically over historical time. (If person *A* at time *T* were moved to act in a certain way by the deliberative consideration "because she is a woman," and person *B* at Time *T'* were moved to act in an entirely different way by the same consideration, it would *prima facie* seem quite a stretch to insist that that could only be because *B* was

³⁰ See Pippin (2006) for a discussion of this issue in Kant.

³¹ By "objective realization over time," I mean to refer to those passages where Hegel treats the attainment of civility and legality as what they are by being the overcoming of such struggle. "... in the civilized condition, especially the family, civil society and the state, I recognize and am recognized by everyone without any struggle [*ganz ohne Kampf*]. There, ethical and legal relations are already present ... " (BPhG, pp. 78–79).

deliberating *better* and so had discovered something not seen by A.) So yet again we encounter some sort of claim about the priority of an “actual” or historical form of ethical life, *Sittlichkeit*, and so a claim about something like the ultimacy or deep priority of intersubjective dependence in any picture of agency and therewith a claim about the historical conditions of such dependence. (Holding individuals responsible as we do is a distinctly modern achievement, requiring a complex set of social presuppositions, and not a modern discovery of what could have been the truth of the matter all along.) Yet Hegel clearly wants to preserve both individual entitlements (entitlements owed by individuals to individuals, or rights claims), and individual moral responsibility and punishment of individuals *qua* individuals (not at all *qua* family or *qua* tribe or clan). As in other cases, his justification for doing so will involve a re-interpretation of the social practice of ascribing rights or assigning blame, an interpretation of what we are doing when we hold each other to account in such ways. Such a practice will not be understood as the result of an inference about some substance–metaphysical claim (for one thing, the scope of the responsibility assigned and who is taken to be covered in the assignments change and some account must be given of such changes), the rationality of the practice as a whole will be seen to depend on a claim about historical rationality. Hegel will try to show that the putative rationality of the practice is compatible with holding that some manifestation is only a partial manifestation of the implications of freedom as the supreme norm, and that the situation is distorted (that we experience a variety of incompatibilities in the subscription to norms) when some such partial manifestation is taken as foundational or primary.

The natural question that arises from such considerations is whether they all lead to a distinct and defensible form of modern politics and political life, whether a “recognitional” politics is a distinct alternative (within the liberal tradition) to consequentialist and rights-based versions. To understand this, we need to understand the nature of the most obvious set of liberal rejoinders to Hegel’s account and these are discussed in this chapter.

Chapter 9. This discussion will bring us back to the most famous characterization of Hegel’s ethical and political theory – that it is a “social role” theory – that what it is rational and so right to do is essentially *to be* in the sorts of social roles that can be said to reflect the objective structure of reason itself (or world spirit or cosmic spirit or God) as that structure has manifested itself historically (as it has developed towards self-consciousness

of itself). I want to argue throughout this study that this is a superficial and misleading characterization (and is so described several times by Hegel himself), but that commits me to understanding how Hegel's view of objective rather than merely subjective rationality should be understood, or what his theory of "institutional rationality" looks like. This is particularly a problem because according to Hegel such a question cannot be settled by appeal to what putatively rational individuals would as individuals will (in a non-distorted or ideal context), as in most modern theories of institutional rationality. According to Hegel, individuals so conceived, pre-socially and only in terms of their rational faculty, could have nothing to will, and such a claim, together with the moral luck concession, is certainly what sets Hegel apart from both the Hobbes–Locke and the Rousseau–Kant strands of the liberal tradition.³² (As in such famous claims in the "Introduction" to *The Lectures on the Philosophy of World History*: "Only in the state does man have rational existence" (VdG, III; LPWH, 94), and as in the many early presentiments of such claims in the Jena *Phenomenology*.³³) Hegel even goes so far as to say, "It is in fact in the life of a people that the concept of self-conscious Reason's actualization . . . has complete reality [*seine vollendete Realität*]" (PhG, 194; PhS, 212).

This all involves one of the most intuitively plausible objections to the direction suggested by Hegel's account. It looks clear that Hegel can only say that "it is right to do this" or "in doing this I am acting well," or "others are entitled to expect this of me" because, say, I am a father and this is what a good father does, if and only if the modern or "bourgeois" institution of the family (the nuclear, private property owning family) is itself as it ought to be, and it seems he can claim this only if he can show developments in Western intellectual and social history can be understood as progressive and ever-more rational in some sense or other. Perhaps he would even need to show that it is good that there is human history, that there are human beings at all. This looks to be a tall order, much more ambitious than anything covered by the "logic of experience" discussion in chapter 8. And even if it could be shown, Hegel makes clear in several places (most clearly at RP, 14; PR, 11) that he is no conventionalist, that nothing could be "justified to free thinking" that is not capable of being expressed in a "rational form." Mere agreement, even

³² Cf. Pippin (2001a).

³³ He notes that "this ethical substance, taken in its abstract universality is only law in the form of thought; but it is no less immediately actual self-consciousness [i.e. in the minds of individuals], or it is custom," just as, he adds, the "single individual consciousness" *is* "an existing singularity" only as aware of this "universal consciousness" (PhG, 194; PhS, 212).

deep agreement, settles nothing. If that is so, then we tend to think that if what is being shown is that such institutions and historical developments conform to a criterion of some sort, a criterion of rational acceptability independent of convention, why not just apply that criterion to those or any other institutions and practices at whatever time, including our own?

As in the other case, the key to understanding Hegel's position on this issue (institutional and historical rationality) is to appreciate the difference between a claim for rationality that appeals to a pre-Hegelian notion of "objective" rationality (as if reason were a kind of underlying Platonic structure to which actual institutions can be said gradually to conform) and a wholly subjective, or faculty view of reason as an individually owned and exercised competence, in which we try to abstract away from relying on considerations germane to one individual or group. What I have suggested throughout is that the alternative to this is Hegel's own social and historical conception of objective rationality, understood as the achievement of a kind of success in the institution-bound practices of justifying ourselves to each other, "the game of giving and asking for reasons" in the helpful terms that Robert Brandom has made familiar. To understand this we also need to understand how Hegel views the problem of rationality differently when he understands it from within the perspective of objective spirit (as in the characterization just given), and when he considers the matter *qua* philosopher, from the perspective of Absolute spirit.

IV

There are endless interpretive problems and controversies about Hegel's texts. Like a few other modern philosophers, he clearly believed that he had to invent, in effect, a new philosophical language to avoid the misleading and distorting assumptions of much traditional philosophy (what he sometimes called the "philosophy of the understanding," the "philosophy of consciousness") but his new language was in effect lost immediately after its creation, ceased to have much resonance in professional philosophy. Moreover, the approach taken in this book is relatively unusual in addressing a number of contemporary questions to Hegel, so a word about hermeneutics is in order. (Such an approach is now only relatively unusual since there has been such a resurgence of interest in Hegel in Anglophone philosophy in the last twenty years.)

I propose no special interpretive method beyond trying to understand the unusual things Hegel had to say about practical philosophy; that is,

about the sphere of human agency and action, things done intentionally, for reasons, ultimately for ethical reasons, especially about the way his treatment of such themes introduces both sociality and history into any adequate understanding of the very possibility of such distinctive events and practices and institutions. Much of what he says also promises to avoid the traditional alternatives that seem to have led to a number of dead ends in modern philosophy. That is, he seems to avoid, or at least to intend to avoid, metaphysical dualism, deeply implausible assertions of uncaused causality, immaterialisms and reductive naturalisms, as well as the fairly weak notions of freedom on offer from contemporary compatibilisms; all even if these suggestions can appear merely tantalizing, offered in a language that almost forbids commentary and that promises to resolve dualisms by some synthetic approach that can sound like a “have your cake and eat it too” inclusiveness. In the face of this, I am guided by the simple assumption that there is nothing to be gained by mere pious paraphrase of Hegel’s texts in his own or in even more obscure terms (an approach still far too common in much Hegel commentary), and nothing to gain by the anachronistic pretense that Hegel might just as well have written his philosophy in the language of contemporary Anglophone journal articles.

But one would like to think that these are not the only alternatives; a submissive textualism and restrictive historicism on the one hand (or a high-class intellectual journalism), or what one hears sometimes called “*textfrei*” interpretation on the other, the mere use of Hegel to launch into a set of topics he would not have recognized as relevant.³⁴ In the first place, Kant was surely right that the only way to understand a philosopher’s text is by *thinking* along with him, actively probing what seem weaknesses or unclarities, asking continually whether a philosopher was entitled to the claims he makes, imagining how a position could respond to objections other than those posed in the text. There is surely enough of

³⁴ A typical criticism by “historians of philosophy” about virtually any sort of attempt to engage a past philosopher philosophically can be found in several of Fred Beiser’s complaints. See especially Beiser (2007). I am not myself much helped by Beiser’s voluminous paraphrases of German thinkers, either in understanding what they actually meant or why they would have felt themselves entitled to say whatever it was they did. Moreover Beiser often writes as if the extraordinary, philosophically rich and historically well informed (to say the least) German scholarship of the past forty years, much of which, from the Heidelberg school of Hegel studies (Henrich, Fulda, Theunissen, Cramer, Bubner) to Kant and idealism scholars like Prauss and Wolff, did not exist. In my view this work alone makes quite obvious that the alternatives are not either pious paraphrase or radical, text-free reconstruction, which is what Beiser often seems to assume. See also Bowie and Hammer (2007), and Wallace (2005). Commentary by paraphrase can sometimes be helpful, but it often also produces the impenetrable Hegelese on, e.g., p. 78 of Wallace (2005).

a *lingua franca* in contemporary philosophy to make such an attempt possible and generally accessible. In the second place, I see no good reason why we should not try to extend the commitments a philosopher *does* have to those, perhaps expressed in a logically more perspicuous or expressive language, he *must* also have, whether acknowledged or not, given what he *does* commit himself to.³⁵

It is in this very general sense – call it rational reconstruction, or critical interpretation, or interpretation *de re*, whatever – that I want to understand the very large number of very unusual, and, I think, very promising things Hegel asserts:

- that *Geist*, spirit, is not a thing (neither material nor immaterial), but an activity, that human mindedness itself should be understood as such an activity
- that Nature is “sleeping” spirit, spirit the “truth” of nature
- that our attempts to render the world intelligible require two different sorts of explanations, nature and spirit explanations
- that spirit is a “product of itself”
- that a concept (or The Concept) can be said to “give itself” its own actuality, and that philosophy must study the concept together with its actualization, must study the “Idea”
- that freedom and necessity do not form a necessarily antinomial opposition in trying to account for human deeds
- that the possibility of freedom does not require that we must establish that an agent could always have (absolutely) done otherwise, that no “exemption” from the laws of nature is necessary to establish this possibility
- that freedom is neither freedom from external constraint nor a causal power, a pure spontaneity, but rather is a collectively achieved relational state, “being with self in an other”
- that the rational is actual, the actual rational
- that philosophy is always a child of its time
- that philosophy cannot of itself establish what ought to be done
- that we only know “from our deed” what we intended to do
- that the relation between inner intention and outer deed is not a causal relation, but an “expressive” one, that inner and outer even form a “speculative identity”

³⁵ Brandom (2002) offers a good statement of the difference between interpretation “*de dicto*” and “*de re*,” and I agree with such principles.

- that an “I” or subject of actions can be such a subject only “for another self-consciousness,” that agency is a social status, not a metaphysical category
- that such an agency, or freedom itself, must be understood as a kind of a social achievement in time, a result of opposition and contention over such a “recognitive” status
- that in modernity, we can begin to see how persons can come to overcome such contention and alienation, become reconciled to their social world, objects, institutions and with themselves
- that this is because such relations can be said to be rational and thereby embody human freedom, but only if we understand that there is a genuinely objective form of rationality (not merely what hypothetically rational wills would will under ideal conditions).

To be sure, Hegel had a large number of other concerns of relevance to his practical philosophy. He had a number of things to say about a philosophy of nature, about what he called anthropology, about corporations and monarchs, and about religion and a philosophy of the Absolute, and I won't be addressing any of these themes directly. But the above is surely already an intimidating number of weighty topics to attempt to consider at the same time, and I will be more than happy if the following discussion makes some small advance in understanding what Hegel meant by such claims and why he thought himself entitled to them.

*Naturalness and mindedness:
Hegel's compatibilism*

I

The problem of freedom in modern philosophy has three basic components: (i) what is freedom, or what would it be to act freely? (ii) Is it possible so to act? (iii) And how important is leading a free life? As the last question indicates, the issues concern both a philosophical question and a human aspiration. And the questions are also obviously linked; one can aspire to a sort of freedom that is a philosophical fantasy, not possible; a true theory of freedom might reveal that the importance attributed to a free life in Western modernity is misplaced.

An affirmative answer to the third question, such that freedom is the *most* important dimension of a worthy life, provokes two others besides the obvious one (why should it be so important, when compared, say, to piety or security?): what sort of political order and social system best realizes such a capacity, or both allows and makes more likely that individuals can act as free subjects? And there is the historical question mentioned in chapter 1 – what is the unique importance of freedom in the modern Western epoch in philosophy?

Hegel's "philosophy of objective spirit" comprises his answer to the former question. He gave the most ambitious and speculative answer in the history of philosophy to the second. And he proposed unprecedented and highly controversial answers to the three main questions.

I suggest with Hegel that what we want to be able to explain when we ask "what is freedom?" are the conditions that must be fulfilled such that my various deeds and projects could be, and could be experienced by me as being, my deeds and projects, as happening at all in some way that reflects and expresses my agency.¹ This unique ownership condition is not

¹ At least, this experiential condition is important in most modern philosophies. In some classical treatments, what I am doing might express something like the "real" me or my higher self, even if

something Hegel thinks can be fulfilled if it can only be established that I caused to happen what happens, that the events would not have happened but for me. If they are “mine,” they shouldn’t seem or be alien, as if belonging to or produced by someone or something else or as if fated or coerced or practically unavoidable, and so forth.² (This is obviously a very general characterization, but it needs to be since one important element in the debate involves the charge that too much of what a writer simply finds desirable or a good is lumped together as if problems of freedom. That is, there is a lively debate, largely originating in Isaiah Berlin’s claim,³ about what the proper terms of the debate are.) How exactly to link such deeds and projects with me such that they count as due to me or count as mine and are thereby instances of freedom is the great problem.⁴

In answer to this question, and unlike many philosophers influenced by the Christian tradition, Hegel does not defend a voluntarist position on the nature of freedom, but instead, I have been saying, a view according to which one’s self-understanding and understanding of others, and a realization of such a proper or appropriate understanding in social structures that condition and reflect such a form of understanding. We could call it a “state” theory (a relational and active state with respect to oneself and to others, not a political state or *Staat*, although that will eventually play a role). He does not understand the possibility of freedom

I could never experience it that way, and even if what I am doing looks to me coerced and/or arbitrary. I argue for the centrality of Rousseau in Hegel’s understanding of the problem to be solved (all regardless of Hegel’s own rather crude interpretation of Rousseau) in Pippin (1997a), pp. 92–128.

² I do not mean to commit Hegel to any particular theory here, although almost anything general one tries to say about the desideratum of any theory of freedom will seem to tilt one way or another, in this case perhaps towards a “non-alienation” or “self-determination” theory. As we shall see, though, there are such a number of components to Hegel’s account of the “achievement” of and realization of freedom, that it would be a mistake to over-interpret this desideratum too hastily. For a very helpful overview of the various dimensions of the modern notion of freedom, especially as a “life ideal,” see Geuss (1995a). Also indispensable, for both taxonomic and analytic reasons, are Pothast (1980) and Kane (1998).

³ Berlin (1997).

⁴ It is important to note that Hegel holds that no conceptual or semantic analysis can settle the question of what would satisfy these conditions, or even what the conditions mean. Only a philosophically oriented analysis of the historical genesis of such a norm can point the way towards a successful satisfaction of such criteria. See Siep (1979), p. 292, “Die Einrichtung oder Entwicklung solcher Institutionen bringt das Prinzip Freiheit nicht nur zur Geltung, sondern bestimmt und modifiziert seine Bedeutung.” I discuss this methodological issue further in chapter 4. For an important discussion of the relation between the two criteria at issue in this summary of freedom, the “*Spontaneität*” and “*Eigensetzelichkeit*” conditions, see Fulda (1996), pp. 47–63. Fulda makes use of the speculative doctrine of universality (*Allgemeinheit*) to try to explain what Hegel might mean by the crucial notion of “*bei sich selbst sein*.” I attempt here to offer a gloss oriented much more by the radicality of Hegel’s Fichtean strain, or the “priority of the practical strain.”

to depend on the possession of a causal power of some kind by an individual, the power to initiate action by an act of will in some way independent of antecedent causal conditions. Contrary to many compatibilists, being free does not involve any sort of causality at all. In his *Science of Logic* the application of the causal relation to organic and mental life in general is unequivocally said to be simply “inappropriate” (*unstatthaft*) (WL, 1:400; SL, 562). This has partly to do with Hegel’s own theory of mechanical causality (that the content of causes “continue” into their effects), but the essential point is that an external cause cannot be said simply to act on a purposeful being and produce an effect because any such possible result depends on the proximate cause being as he says “taken in” and “transformed,” its causal power the result of the way it is *understood* and, in human beings, whether such a possibility is counted as a reason to act or not. An example of his take on this, or at least a brief indication of the way he formulates the issue in his own terminology is:

In history generally, spiritual masses and individuals are in play and reciprocal determination with one another; but it is rather the nature of spirit, in a much higher sense than it is the character of the living thing in general, not to receive into itself another original entity, or not to let a cause continue itself into it but to break it off and to transmute it. (WL, 1:400–401; SL, 562)

The same sorts of points are made in his discussions of attempted explanations like phrenology or physiognomy in his Jena *Phenomenology* (PhG, 185ff.; PhS, 182ff.).

In §15 of the Introduction to the *Philosophy of Right* (one of the very few places where Hegel shows any interest at all in the freedom–determinism issue), he freely concedes that if we mean by freedom merely the ability to have done otherwise, or to do as one pleases (or freedom of choice), then of course freedom in that sense (*Willkür*) is a delusion (*Täuschung*). He also means to imply that it is a delusional notion of freedom, one bound up with an internal contradiction. For such situations of choice always involve a complex and content-saturated pre-volitional context, one wherein the content of possible choices is already fixed, where I can be said to choose *A* and to have been able to have chosen *B*, but where such merely formal possibility does not satisfy the non-estrangement or true freedom condition. *A* may be chosen over *B* “because of me,” but I am also simply and contingently burdened by such contents; the content itself does not reflect my will. (I am free to fire Smith or to fire Jones, but that I must either fire Smith or Jones, or that I suffer dire consequences from not firing either, and so forth, was not up

to me, and from the perspective of “choice” (*Willkür*), all those aspects of the act look unfree):

In is inherent in arbitrariness [*Willkür*] that the content is not determined as mine by the nature of my will, but by contingency, thus I am also dependent on this content and this is the contradiction which underlies arbitrariness. (RP, 67; PR, 49)

Hegel does not thereby mean to suggest that I am free only when I do “choose” even the context and content of the choice. He is trying to suggest that the whole problem is being framed in a distorted way, and that the nature of freedom should not be linked to the question of the freedom of choice. Instead, freedom is understood by Hegel to involve a certain sort of self-relation and a certain sort of relation to others; it is constituted by being in a certain self-regarding and a certain sort of mutually recognizing state.⁵ Achieving it or approximating it is what it would be to be able to experience my deeds as my own, or to approximate that experience. (In such a self-relation I do not transcend or negate the content of what I find myself inclined to do, but find a way of identifying with a determinate content (or passion, inclination) among my options. “Freedom is to will something determinate, yet to be with oneself (*bei sich*) in this determinacy and to return once more to the universal” (RP, 57; PR, 43)).⁶ Hegel’s name for this at first implicit and inchoate and then eventually fully realized state of norm-governed individual and collective mindedness and social reality is “*Geist*,” a word difficult to capture in English. I shall be in effect arguing in this chapter that we misunderstand it if we think of it as mind or soul; that it refers rather to such an achieved form of individual and collective mindedness, and institutionally embodied recognitive relations, and I shall use the almost meaningless and now standard translation “spirit” as the term for *Geist* and hope to fill out the meaning by the account given in the rest of this discussion. This state of self-consciousness and socially mediated self-reflection, defined in a highly elaborate systematic way as a rational self- and other-relation, counts as being free.⁷ This is an active state, a state of doing, a way of

⁵ Admittedly, there is no compelling, *prima facie* reason why being in such a state, however valuable or wonderful it might be, should count as being *free*. Hegel must show that to be so, and tries to do so by trading on our sense that I have acted freely if I can identify with my activities and projects, if they are and can be experienced by me as being mine. I explore this dimension of his argument in chapter 6.

⁶ See also RP §23.

⁷ There is of course a relation between my views of what I will or should do, my intentions and reasons, and the actual action. It is obvious that I can have various reflective attitudes towards what

being that involves activities and practices that are distinguished as free by all being undertaken in a certain way in relation to others, not by having a special causal origin or by being undertaken by a causally exempt being.

So while Hegel still appears to invoke the traditional philosophical language in explaining this notion of spirit, he also immediately signals his unusual understanding of the terms. In §382 of the *Encyclopedia* he tells us that “the essence [*Wesen*] of spirit is freedom” (EPG, 25–26; PM, 15) and one might think he means a dualist claim, that just as the essence of nature is necessity, so the essence of spirit is uncaused spontaneity. But he glosses this in a way that has no traditional metaphysical resonance or any resonance with prior philosophy at all for that matter. This freedom is: “the absolute negativity of the concept as identity with itself,” not at first glance an altogether helpful appositive. I will try to show in chapters 3 and 4 that Hegel means by “concept” here something like a norm (in the sense of a rule), and that by this notion of freedom he thereby means something like norm-directed activity, constraint by self-imposed norms, and that the negativity of such a norm refers to the self-division within a subject that normative constraint amounts to. (Hegel describes genuine action in a way familiar in virtually all other areas of his philosophy, as the negation of any putative immediacy. In this case this means the negation of the mere immediate presence of felt desires or inclinations.) And he means “identity with itself” as a reconciliation with and affirmation of that normative constraint on the basis of reason. But it will take a while to reach such an interpretation. (Sometimes Hegel’s own glosses are so metaphorical that the hermeneutical task seems impossible. He tells us in the Addition to §382 that Christ noted that “the truth makes us free” and he immediately adds what appears to be his own supplement to the Gospel: “*freedom however makes spirit true.*” He is referring here to his own notion of truth as the full actualization of something as what it is (truth, he says, does not consist in a concept’s agreement with reality, but a concept’s agreement with itself) and so here the truth that will set spirit free will not be a revelation or a discovery but its coming to act as fully what it is, a being constrained and guided by self-imposed norms.)

I should do, or about what the claims of others on me should lead me to do, and I sometimes act accordingly or “on” such views, and I sometimes do not act accordingly or not “on” them. But for Hegel this relation is not a causal, but “expressive” one, and that claim will be explored a great deal below, especially in chapter 6. See also Taylor (1985b) and Quante (1997).

So in more basic terms, we can say that Hegel defends the possibility of freedom, in what we can call (initially if a bit misleadingly) a compatibilist, not an incompatibilist form. Since I do not need to be able to think of myself as an uncaused cause in order to qualify as a free subject, I do not need to establish, either metaphysically or as a practical condition, any realm exempt from determination according to the laws of nature (whether or not subsumption under causal law is the *Ur-Prinzip* of nature). This means that the “inappropriateness” of the principles of nature for explaining certain processes and alterations will have to be sought elsewhere in Hegel, not by appeal to and defense of this strong or voluntarist notion of spontaneity.⁸

Now it is not surprising that Hegel, a famous and thoroughgoing enemy of all dualisms, would be consistent on this issue too. But the key to his anti-dualism is not any immaterialist monism, “a position which interprets the material world as somehow dependent on Mind,”⁹ but the more radical thesis that spirit is not a thing at all, neither material nor immaterial. That is,

The philosophy of *spirit* can be neither empirical nor metaphysical, but has as its task to consider the Notion of spirit in its immanent, necessary development out of itself into a system of its own activity . . . the metaphysical manner of analysis wants to do only with the concept, without regard to its appearance; the concept is only an abstraction, and the determination of it only itself a dead concept. *Spirit is this essentially: to be active; that means – to bring itself and indeed only its concept to appearance, to manifest its concept.* (W, 15:217, my emphasis)¹⁰

⁸ The reason that the compatibilism description is misleading is that compatibilism is merely a permissive position, or makes only a logical point: that a universal determinism *could* hold, and it would still be *possible* to assert in some sense that we are nonetheless free. In classical forms of compatibilism such a claim is defended by proposing only a relatively weak notion of freedom (as in Hobbes’ example of water running “necessarily” downstream but “freely” if unimpeded by external barriers). Fichte’s and Hegel’s analysis of the conditions necessary for some event counting as a free action, while similar to many dual aspect positions, are considerably more ambitious and not content with a permissive position. A much closer description of the desideratum is Wilfrid Sellars’ hope for a “stereoscopic vision, where two differing perspectives on a landscape are fused into one coherent experience” (Sellars 1963b, p. 4). Sellars’ version of the problem at issue is also worth noting: “Whether the adoption of the synoptic view would transform man in bondage into man free, as Spinoza believed, or man free into man in bondage, as many fear” (Sellars 1963b, p. 18).

⁹ Sellars (1968), p. 51.

¹⁰ Cf. also the same language in his 1822–5 remarks on the philosophy of spirit, where he notes how man can achieve “a wholly free foundation in himself” by liberating himself from nature, and where he tries to stress how revisionary this notion of spirit is, that spirit is nothing but this movement of liberation; it cannot even be said to be a standard subject-agent “which does this or brings about that” Spirit’s being is “*Actuosität*” (F, pp. 92–3), an untranslatable attempt to say that

Once this is established, it might then be possible to understand why for Hegel references to such attributes as consciousness, intention, freedom, belief, and goal are not merely permissible or possible (as in standard compatibilism), or pragmatically useful, they are somehow required, indispensable, in any attempt to render the world intelligible.

Of course, statements like this one don't yet set us on a firm Hegelian path. Despite what he says about the metaphysical, the claim does seem to evoke what one might call the textbook account of Hegel's theory of freedom, to wit: Hegel does link freedom with reason but not in the way Kant and Fichte did. For Hegel (it is sometimes said) reason, *die Vernunft*, is the underlying noetic structure of reality, the structure of a Divine Mind or Cosmic spirit, developing or expressing itself externally (nature) and returning to itself in a final self-consciousness (spirit), a self-consciousness manifested most fully in art, religion, and philosophy. Part of this developmental realization involves objective social institutions which themselves are manifestations of this realization of reason, and to be free is to occupy the right objective role in this rational structure. On this account Hegel has a self-realization theory of freedom, and what it is to realize oneself is to be fortunate enough to "be in the right spot at the right time," in effect: to be a vehicle for the realization of Absolute spirit.

The problem with this interpretation is that it does not do justice to the subjective dimension of Hegel's theory (what count as practical reasons to a subject and why) and because when one does appropriate justice to that dimension, this noetic-structure version of the objective side cannot be correct.¹¹ But it should also be noted that, on the one hand, in some sense, Hegel's *is* clearly a non-Kantian direction. Kant's dualism may not be metaphysical either (it is based on the practical priority of freedom) but it is strict; the realms of nature and spirit are either/or, never both/and, while for Hegel, spirit is, as we shall see, a kind of socio-historical achievement (the achievement of certain practices and institutions) which some natural beings are capable of, and so there can be a continuity between natural and spiritual dimensions. On the other hand, Hegel frequently and enthusiastically embraces Kant's critique of rational psychology, praises Kant for having "freed" us from (rather than answering) the very questions of rational psychology (simplicity,

spirit is pure *energeia*, activity. The language here – that spirit "is" its activity, rather than an agent "who acts" will assume a larger role in chapter 6.

¹¹ For a defense of the claim that Hegel's is not an "objective" idealism as that is usually understood, see Pippin (1989).

materiality, etc.) by showing that the soul is not a thing (*Seelending*) but is, instead, “the I,” and Hegel takes himself to be following what he claims to be Kant’s direction, away from any question about the appropriate meta-physical predicates for soul and toward its “true essence,” “the pure identity of self-consciousness with itself,” or “freedom” (W, 13:32). In the simplest possible terms, this “pure identity of self-consciousness with itself” refers to a subject’s relation to moral, ethical, and political normative constraints in a way such that these constraints are not experienced as “external,” but “internal,” not imposed exogenously, but are “mine,” and Hegel regularly invokes as a condition for such affirmation/identification “reason,” also often insisting that these be “the subject’s own reason.” This is the same issue at stake in his other most frequent characterization of freedom, “being with self in an other.” This is not a claim about any sort of discovery that self and other are actually united in a monistic substance (what sort of *practical* reason could that be? Why would that give me any reason to act? Where does Hegel talk as if it could?), but an achievement in practices wherein justificatory reasons can be successfully shared, wherein the basis of my justification of a course of action can be accepted by another as such a reason. This all makes it quite impossible that Hegel himself proposed any sort of immaterial or material, or for that matter, any “neither material nor immaterial” substance account of soul and mind.

Finally, it is easy to summarize in Hegel’s own term his answer to the “How important is freedom?” question: absolutely important. Everything Hegel writes about, from the history of religions to the relation between universal and particular, has to do in one way or another with the realization of freedom problem, and his entire philosophy could be summarized in one phrase, however initially opaque: that the Absolute is freedom.

This means of course that Hegel is interested in defending freedom as a norm and he evaluates institutions and historical progress by appeal to degrees of the realization of this ideal. But such an evaluation also clearly rests on a view about the sense in which some alterations and changes are to count as actions or as freely undertaken, and which not, and why. In this link between systematic and normative issues, he is no different than many others – it is no accident that various compatibilist and naturalist programs are tied to libertarian politics and so-called negative notions of freedom. Hegel by contrast has a social theory of freedom; a strong claim that one cannot *be* a free being – not just cannot realize the practical conditions for freedom – alone, but his reasons for that position do not stem just from dissatisfactions with the politics of atomistic individualism;

they rest on a general view of what could count as a freely undertaken action at all, and his social theory of freedom is not well understood without such systematic concerns in view.

II

The most important of the issues, the one on which all other claims depend, and the one I want to discuss in this chapter, is the second question about possibility, or the nature of Hegel's denial of dualism and incompatibilism. In his terms the problem is the nature–spirit relation; in our terms, the mind– or soul–body problem as that bears on the so-called free will issue.

There have always been two serious obstacles to understanding (at least with any sympathy) what Hegel might be trying to say about nature–spirit. The first involves the sorts of claims he makes about nature, remarks that seem to claim that nature is a manifestation or developing realization of a world or cosmic spirit and, second, the fact that his manner of discussing mental and practical life is presented in an encyclopedic form, by means of a methodology that is somehow developmental, not strictly analytic or deductive.¹²

Since it is unlikely that the natural world is a finite manifestation of a divine mind or that being reflects a hierarchical order of such self-manifestings, any compatibilism that relied on such claims would appear to be of only historical interest. However there is a great deal that is unsatisfying about the directions of such immaterialist–monist and teleological–realist interpretations. The former suggests an eventual “immaterialist reductionism” (to use C.D. Broad's old phrase) that cannot be Hegel's position. It is clear that he regards natural (including causal) explanation as an irreducible constituent of any adequate explanation of the world, and in their proper domain autonomous. Nature is not an appearance or illusion; it is *nature*. If it is a manifestation of anything it is of the concept, and that is a claim about its ultimate intelligibility. The teleological dimension of Hegel's account of nature and spirit is both ambitious and complicated, but there is little evidence that he understands teleology in any intentional

¹² The Addition to E §379 presents the official statement of the developmental procedure at work in the *Encyclopedia*. See especially: “each particular notion is derived from the self-producing and self-actualizing universal concept or from the logical idea. Philosophy has to grasp spirit as a necessary development of the eternal idea, and to allow that which constitutes the particular parts of the science of spirit to unfold itself purely from the concept of spirit” (PSS, 1:116–17; Petry's translation modified). I offer an interpretation of what Hegel means here in chapter 8.

or realist way, as if nature must be understood as the product of divine design, or as if there were some sort of efficient causal force in the world, pulling the universe forward towards full self-development, as if some eventual end-state drew everything toward it and needed to be invoked to explain what happens.¹³

Suspensions and dissatisfactions are one thing, however, and the mysteries of Hegel's unusual formulations are another. If the basis for the claim that reference to spiritual properties is unavoidable and irreducible is not that there is some immaterial substance (or that we "have to act as if there were"), whether distinct, or underlying everything and unitary (perhaps neither natural nor spiritual), what could the Hegelian basis for this necessity (the necessity of spirit properties and the necessity of "appeals to reasons" explanations) be?

III

Here is one of the most concentrated statements of Hegel's position on the nature-spirit relation.

For us spirit has nature as its presupposition, for which [i.e. nature] it [i.e. spirit] is the truth and accordingly it [i.e. spirit] is the absolute first [*absolut Erstes*] for nature. Nature has vanished [*verschwunden*] in this truth, and spirit has come to be the idea [*Idee*] which has attained its being-for-self, the object for which, just as much as the subject for which, is the concept [*der Begriff*]. This identity is absolute negativity [here is the claim again about both negativity and identity], because the notion has its complete external objectivity in nature, but this, its externalization, has been sublated [*aufgehoben*], and it has become [in this

¹³ Hegel explicitly rejects any attempt to rely exclusively on "subjective" (or "intentional") models of teleology (the "subjectively held goals, making causal use of means to achieve those ends" model). We thus have to be very careful in interpreting what Hegel means when, by contrast, he suggests that what the natural world is "for" is a certain "end," the emergence and full realization of "spirit." This sort of a claim has to do with, first, his theory of concepts, and the gradual emergence in human time of an adequate understanding of basic concepts. So, to understand, say, a chemical reaction requires that we see it as realizing or manifesting "what it is to be so marked off as a chemical reaction." (It certainly does not mean: to understand how the event is "striving" to "realize itself fully as a chemical reaction.") That means to understand what the function of such a classification can play in an interconnected such system, and how the limitations of various conceptual classifications become manifest and are supplemented and overcome. Ultimately, this all will require an interpretation of the Hegelian claim that everything can be understood as "fulfilling" the requirements of "the Idea." But that will all be in the "manifesting a coherent conceptual scheme" direction, not a "revealing God's mind before the creation" direction. The latter after all was meant as an *image* by Hegel. See WL, 2:156, 2:165; SL, 736, 744–745; and EL, 8:141, ENL:359–361. The best single piece on the foundational issues involved is Theunissen (1978). Also helpful are Willem DeVries (1991) and Warnke (1972).

sublation] identical with itself. At the same time therefore, it is only as this return out of nature that the concept constitutes this identity. (PSS, 1:24–25)

This passage has no contemporary or even historical resonance, as Hegel is clearly inventing the terms with which to state the problem as well as suggesting his solution, but a few conclusions can be drawn immediately.

(i) *Anti-dualism*. All aspects of human mentality and practices (spirit) *always*, Hegel insists throughout, “presuppose” nature. With that assumed, the relation between nature and spirit is posed in an extremely unusual way: as one of “truth,” not a matter of a different substances or different properties. In §388, too, the claim is that spirit “has come to be *as the truth of nature*.” The truth about nature, about what nature is and what it isn’t, isn’t itself a manifestation of nature, a naturally occurring phenomenon like spring buds or sun spots. We don’t yet know what at all is involved in suggesting that spirit alone can manifest or express the truth of nature, but there is no indication that Hegel is claiming that nature is untrue in the sense of not real, only apparent. In fact, given that Hegel often insists that spirit is *not* the “other” of nature *but* its “truth,” he is deliberately not saying any such thing.

The suggestion Hegel appears to be making is simply that at a certain level of complexity and organization, natural organisms come to be occupied with themselves and eventually to understand themselves in ways no longer appropriately explicable within the boundaries of nature or in any way the result of empirical observation. (One of these capacities is the attempt to understand nature properly, in its truth, to get it right. This is a project for the understanding of which the appeal to merely natural properties cannot be adequate. In this sense spirit is the truth of nature; in this sense nature itself exists in untruth.) As we shall see, what makes this position so perplexing is that the “untruth” that would result from continued allegiance to the “external” categories of nature is not because of ontological or substance inappropriateness, not because we just assume such a categorial novelty in order to make sense of our moral lives, and not because we just wouldn’t get far in anticipating or predicting or especially explaining each other’s conduct with the language of biology and chemistry. Natural beings begin to understand themselves in ways not explicable as self-sentiment or mere self-monitoring because the form of their reflexive self-relation is an aspect of what is to be represented, not a separable, quasi-observational position and they come to be able to hold each other to account on bases other than natural need. (We shall look in

a moment at Hegel's dialectical claim that spirit is a "product of itself.") And it is that achievement that would not be rightly accounted for if that sort of fact were falsely taken to be a natural fact (to invoke Sellars again.)¹⁴ If this is all so then trying to account for spirit in a way independent of its relation to and understanding of itself and others (and that is what it would be for Hegel to understand spirit "naturalistically") would be like trying to explain human communication by observing and inferring from vocalizations and observable behavior. Linguistic meaning is not discoverable empirically as an event in nature (although that certainly does not mean that there therefore must be non-natural events), and the same is true of spirit.¹⁵

In §389, as an implication of the above, the whole question of the separate existence of the soul is rejected, and instead of talking about immateriality in any traditional sense, Hegel refers instead to the immateriality issue as more properly formulated as a problem of nature's realization of "the truth" and that whatever immateriality might be ascribed to the soul, it involves only *nature's own* "ideal life" or *its own* "immateriality" (now used in its distinctive Hegelian sense) and not any non-natural locationless substance.¹⁶ (Nature's "*own*" immateriality refers then to the sorts of activities natural organisms are capable of but which are not satisfyingly explained by reference to their natural properties.) And in his long gloss on this claim, in the Addition, Hegel insists explicitly that the "transition" (*Übergang*) from nature to spirit is "*not a transition to something completely other*, but simply a return into self (*Zusichselberkommen*) of spirit external to itself in nature" (PSS, 1:46–47).¹⁷

¹⁴ Sellars (1963a), p. 146, #17; or the classic formulation, p. 169.

¹⁵ This claim by Hegel about spirit is in effect the same *sort* of claim that Michael Thompson makes about "life" and "life-form": that they are logical notions, like property or relation or object, not empirical concepts. See Thompson (1995) and Thompson (forthcoming).

¹⁶ Cf. the formulation in the Additions to §377–482 in the compilation edited by Boumann: "In dem so alles Materielle *durch den in der Natur wirkenden an-sich-seyenden Geist* aufgehoben wird, und diese Aufhebung in der Substanz der Seele sich vollendet, tritt die Seele als die Idealität *alles* Materiellen, als *alle* Immaterialität hervor, so daß Alles, was Materie heißt, – so sehr er der Vorstellung Selbständigkeit vorseigelt, – als ein gegen den Geist Unselbständiges erkannt wird" (HW, 2:12, my emphasis, Hegel's italics).

¹⁷ The most interesting of Hegel's attempts to explain what he means by the claim that nature itself is only in-itself not yet for-itself spirit, occur in the various versions of the Berlin lectures on the history of philosophy, from the winter semester of 1819–20 on, in commenting on and interpreting Aristotle's doctrine of *nous pathetikos*. He explicitly notes that this gloss on passive *nous* as the "thinkable in nature, not yet thought," means that nature, as such mere dynamis, is in *this sense alone* something "*nicht Wahres*," "*keine Wirklichkeit*," as in the *Encyclopedia* language here "Das Denkbare ist der passive *nous*; und das, was ihm zum gedachten macht, das ist der tätige *nous*." Hegel endorses, within the limits of such a gloss, what he regards as Aristotle's "most speculative" or panthesistic or "acosmic" thought: that all is alive with *nous*, but that has nothing to do with

Thus, the remark about “vanishing” (“Nature has vanished [*verschunden*] in this truth, and spirit has come to be the idea [*Idee*] which has attained its being-for-self” (PSS, 1:24–25)) would have to do with the inappropriateness of natural *accounts* of spirit, the ultimate inapplicability of such notions for what spirit is “*in its truth*,” even though spirit is still always somewhere and some when. Nothing in nature can come to be what it “*takes* itself to be,” can “attain its being-for-itself.” (The mode of life appropriate to beings continuous with and *subject* to nature “vanishes” as a possible form of self-understanding, ceases to be a possible mode of spirit’s life.) I think that the evidence is that for Hegel the basic problem concerns the general criteria of explanatory adequacy (as he would say, it is a problem of “logic”), the appropriate form of the *explicans*, not the nature of the *explicandum*. (The two *might* be logically linked, and one *might* insist that any answer about the latter necessarily sets the terms for the former, but an “absolutist” naturalist does not get to assume this. It is what is in question.) What we want is something difficult and elusive: an answer to the question of what counts as explanatory adequacy, even explanatory satisfaction, and so why the undeniably possible neurological descriptions of cognition or evolutionary–biological descriptions of ethical dispositions are not false, but incomplete, and so misleading and inadequate. This explanatory satisfaction question is, in effect, a question about us, not about nature. (This is another manifestation of Hegel’s “idealism.”)

Even though this final achieved independence from nature is achieved only in objective spirit, and in various other manifestations, as “soul,” “consciousness,” and even “thought,” it is never to be understood as something non-natural and it is still the case that a link with and partial determination by nature is always stressed by Hegel. In the Addition to §382, Hegel makes just this point, claiming that “independence” from and “overcoming” nature (which is what spirit is) has nothing to do with any “flight” or “withdrawal” from nature, but achieves this independence “*in a relation to its other [nature]*” (PSS, 1:48–51).

This is all already to suggest a distinct and controversial interpretation of the structure of the *Encyclopaedia*. In this context, it will have to remain a suggestion or proposal, but I hope the passages cited below and the

one substance finally becoming another or what it really is (was), but with what is implicitly thinkable finally being so conceived as to be finally and coherently and actively thought (understood), and in that sense “liberated,” freed as thinkable. Cf. “[D]as Wahre der Nature, ihre Seele, ist der Begriff.” All as cited in the very helpful essay by Kern (1971), pp. 237–59.

interpretation defended can begin to render it plausible. The idea is that the structure “Logic – Philosophy of nature – Philosophy of spirit” is an attempt at comprehending the possibility of all determinate intelligibility (the possibility of representational or conceptual content, of objective purport, whatever one’s most general statement of such possibility amounts to), that when Hegel says that everything is pervaded by, or “infused” with or even “shot through” with the Concept, he is rehearsing the oldest and original premise of ancient rationalism, that *to be is to be intelligible*. This attempt includes but is not exhausted by the issue of what makes for a satisfying *explanation* of (a “having rendered intelligible”) a phenomenon (WL, 2:135; SL, 713–714). Indeed, the reference to what is or is not satisfying in an explanation is one way of pointing to the centrality for Hegel of spirit’s own purposiveness in accounting for nature and for itself. That is, Hegel’s philosophy of nature is just that, a *philosophy* of nature, not a competing scientific account of natural phenomena or a philosophy of science. The question, say, of whether mere predictive power or appeal to fundamental forces should be the standard of explanation is not itself a scientific question, and can be resolved only by being folded within the largest question for Hegel: spirit’s own self-knowledge and thereby spirit’s satisfaction with itself. It is in this sense that reflecting on accounts of nature leads us to this question of satisfying explanations and therewith necessarily to the question of spirit’s own standards for explanation within an account of its self-knowledge.

Nature *itself*, that is, does not “develop into spirit.” Thinking through accounts of nature can be said to lead one to spirit’s own standards (“for itself”) of account-giving, and therewith to the nature of normative authority in general, the central issue in our achievement of collective like-mindedness, in spirit’s own self-realization. In Kantian terms, for Hegel, while knowledge of anything finite and conditioned inevitably gives rise to questions about the conditions for such finite knowledge and so ultimately to a search for the unconditioned (or the ultimately satisfying explanation), that ascent does not lead us beyond the limits of experience, but deeper into ourselves and the nature of our own normative requirements, “legislated” for ourselves. This is not to “anthropologize” the unconditioned (for Hegel free, rational self-legislation is what he calls “the Absolute”), but it is an example of the image that Hegel often uses to describe his philosophy – that he is giving a rational account of the Christian incarnation. Hegel just takes very seriously the claim that “God” became man, that spirit’s (finally satisfying) knowledge of itself

and its legislative activity is “the unconditioned,” a resolution Kant had in view but could not properly claim.¹⁸

So for the Concept to be in or to underlie something is to claim that the thing has a principle of intelligibility, it can be rendered intelligible, given an account of, illuminated as what it truly is, where intelligibility is itself a logical notion and one inseparable from self-knowledge, knowledge of what explanatory satisfaction amounts to. I have already mentioned the similarity with Kant's *Critique* – “Metaphysics of Nature” – “Metaphysics of Morals” structure, although for many reasons Hegel would certainly insist that he is not presenting Kantian-like subjective conditions of intelligibility. But the issue is still, I am suggesting, intelligibility, a rendering of accounts, and Hegel clearly believed he could provide something like the comprehensive possibility of *any* account-giving (the determinate ways in which thought could be said to have content), and then could explain why our accounts have to divide like this, into what we would call the domain of nature (which includes for him mechanical and teleological explanation) and a “space of reasons,” or a normative account of how we determine (legislate for ourselves) what we ought to believe and ought to do. As is quite common in many other Hegelian contexts, this movement of thought is demonstrated by showing what internal problems – incompatible commitments, conflicting assumptions, even existential tensions – would result were some stage of rendering intelligible be taken as comprehensive or complete. Sometimes this project is very grand and hard to grasp (the inadequacies, say, of a “*Seinslogik*”), sometimes very specific and difficult to distinguish from quasi-empirical claims (like “chemism” as a mode of explanation). We are at the point now where he tries to make clearer this unavoidable logical division in possible accounts, between the realm of nature and the realm of spirit.

Much of the above might be read as a gloss on an intriguing claim by Kant and his take on what a logical approach to the problem of system amounts to. Consider:

A deduction of the division of a system, i.e. proof of its completeness as well as its continuousness – namely that the transition from the divided concept to the members of the division in the whole series of sub-divisions occurs without any leap [*divisio per saltum*] – is one of the most difficult conditions for an architect

¹⁸ The evidence for reading Hegel's systematic philosophy in this way can be found in Pippin (1989). An illuminating account of the role of the problem of explanation in Hegel's treatment of mechanism can be found in Kreines (2004).

of a system to fulfill. Even what is the highest divided concept for the division into right and wrong raises questions [*hat seine Bedenklichkeit*]. This concept is the act of free choice in general. (AA, 6:218n.)¹⁹

Such a non-dualist, idiosyncratically hylomorphic position is also prominent elsewhere in Hegel's writings, for example in the *Lectures on Fine Art*. In the following he is discussing the first manifestation of the "ideal unity," the soul, in organic life:

The soul is the substantial unity and all-pervasive universality which at the same time is simple relation to itself and subjective self-awareness. It is in this higher sense that the unity of soul and body must be taken. Both, that is to say, are not different things which come into connection with one another, but one and the same totality of the same determinations. And just as the Idea as such can only be understood as the Concept aware of itself in its objective reality, which implies both the difference and the unity of Concept and reality, so life to is to be known only as the unity of soul with its body. (A, 119; TWA, vol. 13, 161)

(ii) *Spirit as a self-relation*. So what marks off a "spirit" state, and, again, if it is not non-natural, why must it be marked off from nature like this at all? In the *Encyclopedia* passages that describe the transition, Hegel's position is that some such sentient creatures do not merely embody their natures, in the way a stone or planet or an insect might be said simply to be what it is. Some come to be in some sort of mediated and self-directed relation to their immediately felt or experienced dispositions, sensations and inclinations. What we must come to terms with is not something that can be accounted for as a "being-in-itself" but a being which, Hegel says, can be said to have "*attained* its being-for-self, the object for which, just as much as the subject for which, is the concept." This reference to the "object for which, just as much as the subject for which" is Hegel's logical way of referring to the capacity of some natural beings to be aware of themselves in a non-observational, but more self-determining way. The subject "taking itself" to be a certain way is the "object" taken to be such a way. As we shall see this self-relation has a normative as well as irreducible first-personal character and beings which can be said to have established such a relation require a different sort of account from those applicable to nature itself, or require a different way of rendering intelligible the (still) naturally embodied states and relations achieved.

This differentiation from something that might be described as wholly or purely natural is made in extremely abstract terms as Hegel tries to

¹⁹ See also the passage in the *Amphibolies* (B346).

capture as generally as he can some sort of a capacity for what he keeps calling a “negative” relation to, rather than immediate embodiment of, the natural conditions and states of a being. “Taking up” rather than just “being in” a relation to the conditions and dispensations of the natural world has nothing to do yet (at the very beginning of Hegel’s account of spirit) with consciousness or intentionality or even a subjective interiority as such, much less intentional action, but initially only with the basic mark of a living being, self-movement of a sort, or a general purposiveness or self-directedness. Beings that must take up in some way, respond to, and build upon their exchanges with the natural world are said to be “en-souled,” and this very broad category – “overcoming the immediacy of nature” – is, somewhat remarkably, the first and basic manifestation of spirit in what Hegel calls “soul.” It is remarkable because it remains the term within which Hegel discusses even the higher manifestations of spirituality like sensation, feeling, habits, and eventually consciousness and thought and sociality. All require a different conceptual classification because all involve not only natural processes but *taking* nature as an object in *making* their own life at issue for themselves, in acting for their own sake. Appreciating the greater degrees of such possible “overcoming” gives one a way of appreciating how Hegel is trying to introduce the category of spirit. Again what is striking is that there is no suggestion that “overcoming the immediacy of nature” reflects anything non-natural. Natural beings accomplish this new position towards and relation to nature, and soul just is that accomplishment. The conceptual claim is that, while representing no new ontological object, such relations do introduce a sort of capacity for which the explanatory norms at home in the natural world of immediacy, externality, and particularity are now incomplete if also still in some sense possible.²⁰

His own language here reflects his systematic logic. This is somewhat unfortunate. What we will still want here is some manageable account of the nature of the categorial (if not ontological) necessity for spirit-concepts in making sense of what these organisms are doing, saying, and

²⁰ There are a number of ways to make the point Hegel is trying to make about the nature–spirit relation. One, calling Hobbes to mind, would be in terms of political philosophy alone: that the *status naturalis* is the *opposite* of the *status civilis*. The (modern) state of nature just *means* “devoid of normative regulation,” that is, not governed by the bonds, duties one has just *qua* member of the species. One way of understanding Hegel’s modernity would be to understand his claim for the necessity of a philosophy of spirit, beyond a philosophy of nature, as identical in basic logical structure to the modern political insistence on an escape from, rejection of, “the state of nature.” As in the political context, this does not mean that we cease to be natural or must be understood as non-natural.

building, and it turns out that Hegel's case for that must also involve what I have called his whole account of account-giving, of intelligibility, his logic. This is clear by his appeal to claims about how some natural beings can be said to come to stand in a "negative" as well as wholly positive relation to the immediate presentations of nature. Nature's immediacy is "negated" or "idealized" if an entity can establish a certain relation to such immediacy, a capacity that cannot be properly understood as a developmental possibility that should again as it were be understood as itself the embodying of a natural process; it is some sort of taking up of a position, an attitude, a stance, *towards* all such processes, something that in Hegel's account is first apparent in feeling, sensation, rituals, and habits. And an awful lot of work in such formulations is being done by the notion of "negativity" appealed to, the denial of immediacy; the heart of the heartland in Hegelianism.

The examples are also quite striking. Such creatures do not, say, just register threatening stimuli; they experience what is taken to be a threat, take up the threat "in a way," fearfully, feelingly. Feelings thus in Hegel's language are also said to be "modes of negativity" – or non-identity, where this means a mode of self-relation within an experience, not merely (although certainly also) just being in (being identical with) a state. It is thus not, say, the subjective character of such an experience – what it is like to be in terror – that makes it simply inappropriate to treat it as a manifestation of nature, say as a brain state. It would be wrongly analyzed from the start as a "state one is *in*"; that would be an inappropriate category. Such a state already reflects a kind of *achievement in a comportment towards the world* that would be neglected if treated as a natural manifestation or causal result or psychological state. Such a reaction must already involve a *way* of taking up the world and so presupposes a way of understanding the world, with several presuppositions and so already a distinct mode of orientation and direction. Soul is said by Hegel to be what it is *in* its "sublation" of (canceling the independence of while yet preserving) nature, not in being other than nature. The identity of an en-souled or living being as such a being always involves its "*return to itself out of nature*," a highly metaphorical but clearly non-dualist and non-substance account of soul and eventually spirit. It is the achievement of the sublating relation to nature that constitutes spirit; natural beings which by virtue of their natural capacities can achieve it are spiritual; having achieved it and maintaining it *is* being spiritual; those which cannot are not.

Moreover, Hegel is not treating such self-regarding states as beliefs or intentions which then can be said to cause actions or other states. Spirit is

said to *be* such ways of construing oneself and accomplishing such “overcomings,” and he recommends that such modes are to be understood as essentially “self-manifestations,” not causes of anything else:

The self-revelation [*Sichselbstoffenbaren*] is therefore itself the content of spirit, and not in some way merely a form in which spirit derives its content from without. Consequently, spirit reveals in its revelation not a content different from a form, but the form in which its entire content is expressed; i.e. its self-revelation. (PSS, 1:54–55)

Or, more succinctly and remarkably in the Addition to §385, “spirit is essentially only what it knows of itself” (PSS, 1:68–69).²¹

These formulations about what makes the human human, that “self-revelation [*Sichselbstoffenbaren*] is therefore itself the content of spirit” and “spirit is essentially only what it knows of itself” have a number of implications. As noted, this spiritual peculiarity can be said to have degrees of realization. Something like the degree of “distance” attained, the range of responsiveness in such taking up of possible attitudes, or the range *not* simply set by the initial natural condition, represents the basis for the gradualist or developmental (or most broadly conceived, “second nature”) account presented by Hegel.²²

(iii) *Spirit as freedom as achievement.* There is still much here that Hegel must explain, but the striking direction, at least, on traditional understandings of mind–body issues opened up by this position, should be stressed immediately. For Hegel has begun to treat forms of human mindedness as something like achievements, modes of self- and other-relation and so ways of making sense of, taking a stance with regard to, nature and one’s own nature that can be reached, or not, and these are of course achievements actually reached by nothing other than creatures otherwise describable as bits of matter in space and time.²³ Thus the

²¹ These sorts of formulations begin to explain why Hegel, when speaking of fully realized forms of spirit, forms wherein a self-understanding and relations with others have been self-determined, and so nature “overcome,” speaks of such spirit, or “the truth of such self-developing self-consciousness” as “the form of the self” (and so not the realization of a substance or the freeing of a thing from its limits). See WL, 1:266; SL, 417; also PhG, 427; PhS, 485.

²² On the difference between a “mere response” and a “response to something as having a significance that is dwelt on by the agent in his account, or as a response surrounded by thoughts and questions” see Anscombe (2000), p. 23.

²³ At the end of the *Addition* to §378, Hegel again criticizes rational psychology for treating the soul as a thing (*Seelending*) which stands in some bizarre external relation to the body, all as opposed to his position, which has it that the soul is “bound up internally with the body through the unity of the concept” (PSS, 1:12–13, my emphasis; Petry’s translation modified). The nature of this unity “through the unity of the concept” is partly what is being, still rather obscurely, addressed in the

unique capacity of spirit, its freedom, “does not occur as an immediate characteristic of spirit [*nicht etwas unmittelbar im Geist Seiendes*], *but is something to be brought about through its own activity*” (PSS, 1:52–53; my emphasis, Petry’s translation altered).

There is a clearer gloss on this “direction” in the Kehler and Griesheim notes to §377.²⁴ In the first place, Hegel’s anti-romanticism is on view as he claims that if spirit is to be considered (as it should be), some sort of independence from nature, then this capacity should be considered in historical terms, not in terms of substance, and in some sense “practically,” not ontologically. Modernity has reached some sort of “higher standpoint” than the Greeks, people have become freer, more “agents” than they were, because of the achievement of some greater independence from nature, not because of any clearer knowledge about such putative matter-of-metaphysical-fact independence, as if it were a case of substance independence. (And the passage nowhere suggests that this is because of some metaphysical alteration in what it *is* to be a human being, because of substance-change.) Said another way, when Hegel makes his famous claim that moderns are “freer” than Greeks, he does not just mean politically freer; that we better realize a capacity that they also had. He means we have become freer, more capable of realizing the capacity for freedom, and the question about his systematic philosophy is what notion of freedom, and what defense of such a notion, will allow him to say that. Here are some of the relevant passages where this claim is spelled out; it is clear in all of them that Hegel is not talking about just a greater political realization of an inherent capacity (although he wants ultimately to raise that issue as well), but something much deeper and broader. First,

One frequently hears it deplored, in writings on aesthetics, that we should differ from the Greeks in lacking the beauty of being at one with nature. It is for sentimentality [*Empfindsamkeit*] to regret this however, not for reason, for it is of

§381 passage quoted above. I discuss how the “logic of the concept” plays a role in this account in chapter 4.

²⁴ The radicality of Hegel’s position on the self-constituted character of *spirit* (and the sort of organicism he is proposing) is already clear in the critique of Jacobi in *Glauben und Wissen*. He completely rejects not only the epistemological side of Jacobi’s intuitionism, but any claim for the natural, transcendent character of ideals, the good, the supersensible. Contrary to Jacobi, Hegel’s position is that “transcendental imagination and rational cognition is something quite different from Jacobi’s conception. It does not analyze nature, it does not tear something given apart into an analytic unity and a manifold. But rather, being itself an organic, living totality, it *creates* the Idea of totality and *constructs* it as absolute and original identity of the universal and particular” (GW, 372; FK, 132, my emphasis).

the essence of spirit to be free, and so to be free for itself, not to remain [*stehen bleibe*] within the immediacy of what is natural. (PSS, 1:4–5; Petry's translation altered)

This notion of either “remaining” (with the Greeks) or “departing” already suggests the notion of a form of practical mindedness in general as a result (as something done), but that stress becomes more pronounced as the passage goes on:

Spirit has its beginnings in nature in general. One must not think merely of external nature, but also of the sensuous nature of man himself, his sensuous, bodily being, being in relation with other general objects; mere sensing is confined solely to animals. The extreme to which spirit tends is its freedom, its infinity, its being in and for itself. These are the two aspects, but if we ask what spirit is, the immediate answer is that it is this motion [*Bewegung*], this process of proceeding forth from, *of freeing itself from nature*; this is the being, the substance of spirit itself. (PSS, 1:4–7; Petry's translation altered)

Hegel is well aware that this is quite a different, non-standard way of putting the issue and the nature–spirit duality:

spirit is usually spoken of as subject, as doing something, and apart from what it does, as this motion, this process, as still something particular, its activity being more or less contingent . . . (PSS, 1:6–7)

And Hegel's contrary view is now clearly stated:

it is of the very nature of spirit to be this absolute liveliness [*Lebendigkeit*], this process, to proceed forth from naturality [*Natürlichkeit*], immediacy, to sublimate, to quit its naturality, and to come to itself, and *to free itself*, it being itself only as it comes to itself as such a product of itself; *its actuality being merely that it has made itself into what it is*. (PSS, 1:6–7; Petry's translation altered)

And even, finally: “it is *only* as a result of itself that it is spirit” (PSS, 1:6–7, my emphasis).

These formulations, especially the last, logically opaque claim (how could spirit be the result of itself?)²⁵ are both remarkable for the

²⁵ In the Addition to §379, Hegel seems to enjoy compounding the paradox. He knows we will be tempted to use a teleological image to help defuse the paradox, to think that spirit is potentially what it is actually and so can be said, *qua* seed, to produce itself *qua* plant. But he insists that this “coming of the concept to itself appears in spirit in yet a more complete form than in the merely living being.” This is so because while in the plant the seed ultimately produced by the maturing plant is not identical with the original seed, “in self-knowing spirit” the “product is one and the same as that which produces it” (PSS, 1:18–19; Petry's translation altered). In §381 Hegel begins to

uniqueness of the position Hegel is trying to defend, and remarkably unnoticed in standard commentaries. We ought to allow ourselves to be sufficiently struck by them, as well as convinced that no immaterialist monism will do them justice. We also clearly need some sort of gloss for “being a result of itself,” and I will suggest one in chapter 3.

This way of framing the problem also begins to explain why, in his discussions throughout the *Philosophy of Spirit*, the issues that dominate so much of the modern post-Cartesian, post-Kantian discussion about nature and mentality do not ever arise for Hegel: subjective self-certainty, raw feels, intentional states, mental objects, and their possible or not possible reducibility, and the problem of spontaneous causation in action, or “could have done otherwise” issues. Instead, a wholly different series of topics is presented, without much concern with whether the capacities, shared in a great degree by non-human animals, require a defense of any non-natural properties or capacities. Instead a discussion of such things as sensation, nourishment, sexuality, and even death is presented, all with attention to the sort of “negative relation” to or independence of nature such naturally occurring states and activities can be said to make possible. There is little or no attention to the Cartesian and Kantian issues. For example, the “overcoming of death as a natural event,” the not “natural” status of human death as opposed to animal death, is discussed in terms of the establishment of forms of memory and ritual which prevent the “submergence” of the individual into the abstract universality of death. The “naturalness” of death is “overcome,” and so becomes distinctly spiritual, not by means of any postulate or even any concern with “immortality” but by the “preserving sublation” (*erhaltende Aufhebung*) of human practices. This is one of Hegel’s best examples of how he wants to understand the way spirit creates a kind of distinctness from the body, a difference within which a kind of matter-of-fact or metaphysical identity is easy to acknowledge at the same time. What spirit is, in other words, is not non-nature or immaterial, but, in Hegel’s constant phrase, the negation of nature (“spirit negates the externality of nature, assimilates nature to itself and thereby idealizes it” (PSS, 1:42–43)). He thinks this notion is comprehensive enough to cover both cognitive relations to nature, where the mere immediacy of our sensible contact with the world must be “negated” or conceptualized in order to play any role in cognition, and

make clear that his differences with Aristotle have to do with Hegel’s notion of a self-liberation from nature, rather than natural or organic growth.

practical relations, ranging from eating and labor to institution building and religious practices.²⁶

Or, as Hegel summarizes his position, again in the Addition to §381:

Even in animal life therefore, which is the most perfect shape to which nature raises itself, the concept fails to attain to an actuality equal to the soul-like nature of its essence, to completely overcome the externality and finitude of its determinate being. This is first accomplished in spirit, which distinguishes itself from nature precisely on account of the occurrence within it of this triumph over determinate being. The distinction is not, therefore, simply the act of reflecting externally upon the essence of spirit. (PSS, 1:34–35)

Again, the contrast is clear. The question of spirit is not one that can be settled by “external reflection” on its substantial nature. The achievement of a certain form of collective mindedness, a way of living out a certain form of self-understanding, a living out made possible at all by what we collectively do, determines whether we are spiritual beings or not, and so whether or not we can “realize” (*verwirklichen*) what it is to be spiritual, to be free.

IV

The general direction of this reading is clearly neo-Aristotelian (*spirit* as *energeia*, the being-at-work or the distinct actuality of the living, human body, although that sort of formulation just follows Hegel's explicit and insistent advice)²⁷ and it is also “left Hegelian” (agency itself is understood as a kind of historical and social achievement).²⁸ My intention has been mostly to show how the texts support a version of such non-dualist, but not immaterialist readings. Philosophically though, we still haven't gotten very far. We still need to be able to make several distinctions (the

²⁶ Cf. §443, especially the Addition (PSS, 3:92–97). For an excellent account of the way this theme (the break from and humanization of nature) was taken up and transformed later, especially in the tradition of philosophical anthropology, see Honneth and Joas (1998). Also helpful is Löwith (1984), part I, chapters 2 and 3.)

²⁷ “Aristotle's books on the soul, as well as his dissertations on its special aspects and conditions, are still by far the best, and even the sole work of speculative interest on this general topic. The essential purpose of a philosophy of spirit can be none other than re-introducing the Notion into the cognition of spirit, and so-reinterpreting the meaning of these Aristotelian books” (PSS, 1:10–11).

²⁸ This is, I think, the general direction in which Michael Wolff's groundbreaking study, *Das Körper-Seele Problem*, is moving. Wolff (1992). There is no better account of the issues posed by §381 anywhere in the Hegel literature that I am aware of. On the “left-Hegelian” reference, see the study by Honneth and Joas (1998), and the relevance of the German “philosophical anthropology” tradition to the development of this approach.

ones Hegel makes, between different forms of stages of spirit, different stages in what we now understand as the “overcoming of natural immediacy,” soul, consciousness and spirit especially), and also between cognitive and practical realizations of spirit, when the latter is understood this way. As noted earlier, the notion of spirit, including all forms of “thinking” (philosophy, art, religion), when all considered essentially historical achievements, as “negations of nature,” introduces a book-length topic, a crucial one since the case for the logical (and not ontological) distinctness of spirit and for the essentially historical nature of the normative force of such a notion, rests on such themes.²⁹ And we are still far away from the ultimate picture of agency that results from this notion of *spirit* as an historical achievement; the claim that being a subject is itself a historical or social achievement or, in more familiar Hegelian terms, it amounts to being recognized as one; that we cannot be free beings alone, but must achieve such freedom in common. (To put the problem another way: our natural tendency is always to think that if there is such a distinct capacity to shape or construct or mediate our relation to the natural world, it either must be a metaphysically distinctive capacity, or we must be appealing to some form of weak or anomalous monism, or other sort of dual aspect, supervenience, emergent property thesis, etc. Hegel’s account of spirit is none of these and it is hard to see what that leaves us with.) However, something of the general direction suggested by this interpretation can be indicated in a few concluding remarks.³⁰

²⁹ The claim still in dispute is similar to one that even Sellars, for all his naturalism, was willing to concede, that an attempt to understand “person” as “what science says man is” must fail, that the “reconstruction . . . is in principle impossible and the impossibility is a logical one” (Sellars 1963a, p. 38).

³⁰ Yet even with so little to work with, we have, I hope, seen enough to begin to appreciate the radicality and scope of Hegel’s reformulation (rather than resolution) of traditional discussions of the problem of freedom.

For example, it should be clear that it would be a mistake to read Hegel as a “weak monist” (as DeVries does in DeVries 1988). Such a reading would have him holding that there is indeed in the universe only one sort of thing, matter, but arguing for supervenience relations, arranged in a kind of hierarchy of complexity (1988, pp. 41–6). There is something to be gained by seeing Hegel’s position this way but it can also be misleading. For one thing, most contemporary supervenience theorists hold that fixing all the truths of the “base” or “real objects” language thereby fixes the truths of the higher and supervening language, and this suggests a thesis of determination and explanation that is finally more robustly physicalist than Hegel could accept. And secondly, in order to account for the nature–spirit relation (why it arises at all; not just to account for the logical distinction between the explanatory forms), those who interpret Hegel in this way describe a realist teleology in which “spirit” must appear because it is internal to the “*telos*” of nature. But, I have been trying to stress, the self-realization of spirit does not “happen,” and does not “develop” as if a kind of metaphysical “process.” As we have seen, “spirit” is said to be *its own product* and its relation to nature is one of “liberation,” the overcoming of nature’s immediacy, and so and the great negative labor of the concept.

I have taken my bearings from passages like the following one in Hegel's late *Encyclopedia*. In distinguishing his approach from all empirical and philosophical psychologies, Hegel insists again that the former are misleading because they try to say *what* spirit or soul is, what happens to it, what it does, presupposing it to be a ready-made subject within which such determinations appear only as expressions. The contrasting view which Hegel wishes to defend is that spirit "posits for itself the expression of what it is," that all "expressions" (*Äusserungen*) of itself are "moments of its bringing itself forth to itself, of its agreement with itself whereby it first becomes actual *spirit*" (PSS, 1:80–81; Petry's translation altered). As we have seen so often: *spirit* is a product of itself, only what it takes itself to be.³¹

We have been asking: what makes this self-producing process so distinctive, requiring so unavoidably a mode of self-understanding somehow other than "nature"? (If we were Hegelian anthropologists, we would be asking: what would be going wrong if the nature–culture distinction were understood as falling within a comprehensive account of nature?) Some hints in answer to this question have already emerged, but the decisive issue appears as Hegel begins to summarize the stages whereby *spirit* can be understood to "realize itself" more adequately, to mark *itself* off more and more from nature. That issue is reason, spirit's becoming, or self-fashioning itself as more and more directed by and collectively responsive to, reasons. That is what the final overcoming of nature's immediacy (the realization of spirit) amounts to. (Here of course is the difference between Hegel and that left-Hegelian tradition, with its emphasis on socially organized labor as the vehicle of overcoming and negation in the satisfaction of material needs.) Spirit is supposed to *become* spirit by virtue of the efforts of some organisms over time to

In a passage from the *Kehler-Nachschrift*, Hegel anticipates modern forms of neutral or anomalous monism (and emergent property and supervenience theories), and rejects them as "*Materialismus*," providing no real theory of *spirit* (quoted in Wolff 1992, p. 58).

³¹ In his *Lectures on Fine Art*, Hegel makes several points that are relevant to his discussion. He notes that "Freedom is the highest destiny of spirit" and that "freedom has the rational in general as its content" (A, p. 97; TWA, v. 13, p. 134). But it is quite instructive that when he develops this point, he stresses the "practical" independence and self-sufficiency of spirit to such a degree that completely dismisses the significance of the beautiful in nature. "Therefore the work of art stands higher than any natural product which has not made the journey through spirit. For example, owing to the feeling and insight whereby a landscape has been represented in a painting, this work of art acquires a higher rank than the mere natural landscape. For everything spiritual is better than any product of nature. *Besides no natural being is able, as art is, to present the divine Ideal*" (A, p. 29; TWA, vol. 13, p. 49, my emphasis). It is hard to reconcile such striking passages with a metaphysical substance–metaphysical monist interpretation of Hegel.

“make,” let us say, an effective “space of reasons.” We don’t inherit such a domain for free, just by showing up as the kind of beings we are. “*Reason constitutes the substantial nature of spirit, and is merely another expression for the truth or the idea which constitutes the essence of it*” (PSS, 1:88–89; my emphasis).

When this claim is thought together with the spirit-as-achievement position we have seen from the *Encyclopedia*, the distinct desiderata Hegel is after begin appearing. That is, to use again a vaguely Sellarsian formulation: (i) the question at the heart of the basic spirit–nature dualism at issue is eventually treated as one between the applicability of normative notions and assessments versus natural or law-like explanations, all within a radically historical account of norms (more on what this means in chapter 3) and (ii) the Hegelian approach does not involve treating the possibility of such a distinction as being based on any ontological fact of the matter, as say between immaterial, causally exempt, and material, causally determined beings. The distinction is *itself* a normative and historical one, not an ontological one; it depends on a social norm we have collectively formulated over time and bound ourselves to and it is thereby also flexible, historically malleable (as in: whether parts of nature can be responded to normatively, as if they are acting intentionally (e.g. trees as also persons, oracles), or whether certain forms of conduct would be better responded to as natural events causally determined and causally manipulable (e.g. neurotic depression or some forms of criminal conduct)).³² As in Sellars, so, I think, in Hegel. The core idea: to think of someone as a person is not to “classify or explain, but to rehearse an intention.” Hegel has a different story about the content of this intention, the nature of its claim on us, and what historical story we have to tell in what detail about how such an intention came to be as it is, with what sort of normative authority.³³

There is thus no “missing ontology” in such a position. The argument is that the issue itself is miscategorized if we begin searching for an ontologically distinct being as an answer to the question: why is it appropriate here to respond to this being as having acted because of his reasons and so as subject to the responses and punishments and arguments suitable under such assumptions? The answer to such a question has to do with what we have established as a norm in such discriminations; something that exists as a norm only *because we have established it*

³² This point especially is made very well and defended persuasively by Brandom (1977), pp. 187–96.

³³ Sellars (1963b), p. 40.

and have committed ourselves to it, not because we have seen something about immateriality or because of a faith in uncaused causes. Viewing these institutings and establishings as natural events and searching for their causal conditions would *also* be (somewhat inconsistently) to hold ourselves to certain norms, to have come to adopt them, itself already an “epistemic fact” for which an appropriate justification (and so spirit talk) would be necessary. And this all naturally leads us to larger normative questions, above all, the question of the *legitimacy* of such establishings; in what way criticisms and revisions are possible if not by appeal to what we know about what we are or must be or by appeal to some claim about the practical necessity and unavoidability of acting “under the idea of freedom.”³⁴

That is, Hegel's talk of reason as “the essence” of spirit must, as we have seen in detail, be read in a very careful way. He is in effect treating *spirit itself as a kind of norm*; a collective institution whereby we (remaining the natural organisms we ontologically are) hold each other to a responsiveness to and directedness by reason, and thereby realize spirit as freedom. What is crucial to him is the form of this comportment, not the nature of the beings who bear it. And he clearly is not treating such a form of life as the natural realization of a slumbering potential, long frustrated by the irrationality and contingency of existence. The vocabulary is everywhere about positing, producing and making; is everywhere Fichtean, not Schellingean nor, on this issue at least, very Aristotelian. This means that the basis for Hegel's claims about “realization,” fulfillment, return to itself, and truth cannot either be some sort of essentialism, nor, again, a practical argument like Kant's, claiming a practical necessity to act under the idea of freedom.³⁵ We are such beings because we hold each other to that norm; we

³⁴ Even though in contemporary philosophy, such a position on the priority of normativity is associated with Sellars and Sellarseans like Brandom, it is originally Fichte's position, as I have tried to show in Pippin (2000c). Fichte's constant objection to dogmatism is not a defense of an ontological alternative, but the claim that one couldn't “be” one, and he is well aware of what else this kind of response commits him to showing.

³⁵ There are Kantians who maintain that Kant too had a notion of a developing and historically maturing commitment to the conception of ourselves as rational beings. Henry Allison, for example, claims that in his philosophy of history, anthropology, culture, and teleology, Kant “provides a fairly rich, nuanced picture of human reason as a ‘naturalized,’ historically conditioned faculty” (Allison 1997, p. 45). But this confuses Kant's general reflections on the conditions under which the eternally and universally binding authority of reason would be *more likely observed*, his marginal speculations on “what we may hope” about our ability to withstand better, under different conditions, our “twisted” and “radically evil” dispositions, and a much more radical claim: that reason's determinate authority as a norm is *itself* essentially historical, that we do not become such rational creatures until we make ourselves into such beings. Calling reason in Kant a “naturalized, historically conditioned faculty” is thus misleading. We can *always* do what we ought

make it, we maintain it; it “expresses who we are” only in so far as we collectively intend to be that.

This direction clearly begins to build a good deal of pressure on something like the historical story, and the developmental logic of that story, whereby we can understand the original hold on our self-understanding that the notions of soul, mind, self, consciousness, and eventually, to use Hegel’s frequent shorthand for spirit, ‘I,’ came to have and then lose. This sort of account of the kind of normative hold on us that the notion of rational being or “overcoming-nature-being” has, as well as the normative force that the idealization of that self-conception, “autonomy,” has, manifests itself in several ways in Hegel’s texts and in each manifestation raises scores of problems on its own. (In the *Encyclopedia* version we are considering, the issue concerns the mixed, natural, and *geistig*, category of “soul” (the standpoint of “anthropology”), and the nature of the inadequacy, both phenomenological and logical, of this way of counting oneself as subject to and overcoming the natural situation of climate, diet, unreflective habits, and so forth.) Different terms and issues emerge in the kind of developmental logic defended in *The Phenomenology of Spirit*, the philosophies of history, art, and religion, and in the underlying commentary on the development of the history of philosophy that undergirds *The Science of Logic*. In one way or another, all such Hegelian accounts attempt to make the same internal case for the ultimately superior claim of a “rationally self-determining” norm for human subjects.³⁶

Now, in a formal sense, that kind of case is not all that unfamiliar. The question Hegel is trying to answer is roughly the same as for any such

in Kant, at any age, in any society; and freedom in the Kantian sense is an all-or-nothing, hardly “historically conditioned” faculty. This amounts to a defense of McDowell’s worries about Kant, against Allison’s rejoinders, but, for reasons already indicated, I think Hegel’s position is considerably more historicist and “Fichtean” than any Aristotelian notion of “second nature” will allow. See McDowell (1994), pp. 84–86, and McDowell (2007c). Cf. Pippin (2007).

³⁶ This line of interpretation both deflates the importance of the *nature–spirit* distinction (the post-Cartesian metaphysical issues are rendered irrelevant, and most contemporary philosophy of mind is bypassed) and also “re-inflates” the status of spirit, although now as a historical achievement, not just a historical event in the becoming of who we now are. The question is not about the irreducibility of the *Geisteswissenschaften* but avoiding that issue does not land us, say, in a purely pragmatic justification of the “sciences of meaning” or spirit-talk in general. (Cf. Rorty 1979, pp. 353–6.) The question Hegel’s account raises is not primarily how best to understand meanings, but the question that that one depends on: the sources and nature of normativity, *how* we have come to hold each other to certain accounts, and why (the condition of meaning); what goes wrong with certain ways of collectively doing so, what goes right with others. Hegel’s position is so radical because (i) this is *all* an account of *spirit* amounts to and (ii), within that account, he defends a sweeping claim: that the advent of modernity marks off a decisive and unsurpassable phase in this attempt, the “overcoming of and liberation from nature.”

historically rational account: what normative forms would be consistent with such non-natural status. Like Kantian constructivists, the answer must have to do with those norms that realize and embody the condition of their very possibility: that they exist and are maintained only as legislated, only in so far as “spirit is a result of itself.” This could not be so, such norms could not be both constructed and claim the allegiance of all, if they merely represented an exercise of power by one group over another, or could not embody some general mutuality, a way in which each is counting as one among many.

It is easy enough to be skeptical about the possibility of this form of justification, but the first step in appreciating Hegel's overall case is his more comprehensive claim: that only this sort of story will allow us to understand why we have become so wedded to this notion of ourselves as self-determining individuals, and as so self-determining by reliance on a norm of rationality, why we were not wedded previously, why we saw ourselves, unsuccessfully, as manifestations of, parts of, nature, and how that self-understanding is not in some permanent, inexplicable tension with what we now understand as nature.

Finally, there are a number of elements in Hegel's account of spirit, but we have already encountered the most paradoxical – that “spirit is a product of itself.” However it is important to remember that this language is not foreign to the context of German Idealism. The same notion is manifested in Fichte's language of the I as a self-positing (a notion that embodies the same, seemingly insuperable paradox; an I that apparently can exist only as a result of some posit (*setzen*) is said to be the origin of that positing). But it is also a notion that is what Hegel might call “the Kantian Absolute” introduced in *The Critique of Pure Reason*: that the authority of pure reason rests on nothing but pure reason itself, that reason must be *self-authorizing*. (Ultimately, as Hegel begins to make clear in the Addition to §386, this wholly self-authorizing or self-legislating capacity of spirit, even while finite, amounts to the “true infinite,” a form of normative authority that is not based on any finite dependence (PSS, 1:72–73).) This is most manifest in Kant's practical philosophy and in his claim that the moral law to which I am subject is a law of freedom to which I am subject only in so far as I can view myself as “author” of that law and only insofar as I subject myself to it. Some sense of what Kant means by this, and some appreciation for what difficulties and *aporiai* are created by it, might help us with Hegel's notion of spirit as a product of itself.

CHAPTER 3

On giving oneself the law

I

I have suggested that Hegel's unusual phrases about spirit – that it is a “product of itself” – can be traced back through Fichte's notion of self-positing and ultimately to Kant's notion of self-legislation, and that by doing so he does not mean to suggest that values like personhood or some specific conception of freedom and its value are mere “posits,” constructed in response to merely contingent circumstances, the way we might propose a new dance or art form or clothing style. What spirit legislates for itself are laws, not cultural preferences and so the binding and non-arbitrary nature of such self-legislating must find a place in any account. On the assumption that Hegel considers spirit itself as an achieved normative status, proceeding in this direction is in effect to see Hegel's core theory as a theory of cognitive and practical normativity, and to claim that he is indebted to Kant's argument about the nature of such normativity: that we are subject to no law or principle of action that we do not “legislate for ourselves.” A great deal depends on how this meta-law is understood and how Hegel appropriated and significantly reformulated it. Although this is not an invitation to the absolutizing of culture or “constructivism,” Hegel is also signaling that he is not adopting a model of natural development, like organic growth and maturation, to account for historical change (spirit is a *product* of itself). What is supposed to take the place of nature in accounting for the non-accidental or non-arbitrary results of spirit's development is, in his word, logic, not nature. But the notion at the heart of that logic, self-legislation – is obviously a very broad and immediately highly paradoxical claim and I hope in this chapter to make it more concrete and, at least in the case of Hegel, less paradoxical.

We can start from a high-altitude view of the issues and from another feature of Hegel's theory emphasized thus far: that he counts being in

certain reflective self- and other-regarding and normatively bound relations as constitutive of freedom. A very common and understandable view of Hegel's ethical theory is in basic agreement with this sort of claim. Formulated somewhat more traditionally: Hegel is said to have a social role theory of right human conduct. As has been endlessly pointed out, this type of account in general is at first glance unsatisfactory and at second glance would seem to be in some tension with the "product of itself" language. It would seem that the justifiability and goodness of occupying any roles or being in any state at all must itself be defensible universally and objectively. Only after such a defense can appeal to such a reason ("because I am a sister") justify anything, be offered to someone who demands a justification. There is also a conventional view of how Hegel tries to take this next step and complete the argument – by claiming that such social functions should be seen as the outcome of a rational historical process and so a manifestation of an underlying rational structure or divine mind. This has come to look hopeless to most modern philosophers, almost all of whom have come to accept a plurality of equally legitimate and incommensurable claims about ultimate human ends or goods, and who, after the twentieth century, would view any notion of historical progress as Panglossean in the extreme.

This is a natural and plausible way to think about the limitations of what is taken to be the Hegelian position. Assertions about the normative dimensions of social roles, or self- and other-relational states, especially if they are understood to involve rights or entitlement claims, must be able to survive, we think, a full "reflective endorsement" by an individual, a reasoned defense that does not presuppose our social roles, but concludes in affirming them (if it does), and only thereby can such considerations be said to count as binding practical reasons for any reflective individual. We often do not mean that the individual herself must be able to, or must actually, "step back" from participation in such roles and come up with a reasoned defense of such commitments, but we assume that such an idealized reflective endorsement test must be in principle executable if the normative authority in principle is to be legitimate. (This way of thinking about such authority, while quite natural to us, is already odd on the face of it. It is like saying: were you to be someone else, say a fully rational individual all of whose commitments must survive such endorsement tests, these are the social and political institutions you would be committed to. To which the natural response would seem to be, "Right, *were* I such an individual . . .," a response that introduces Hegel's insistence on considering "actualized" or "realized" rationality, not formal rationality.)

That is, this line of thinking about reflective endorsement is already quite theoretically “thick,” and leads fairly directly to a Kantian position on obligation, or on the binding “source of normativity.” If every sort of consideration can count as a justifiable practical reason only if it survives some sort of reflective endorsement test, and there are such tests, and some considerations do survive them, and we can accept or reject such proposals because they pass or fail, then we have claimed that reason can be practical in some way, that passing this reflective endorsement test is, at some basic, fundamental level, what most matters, is the crucial component in the basis of normativity, and that all of this backing can, in some complexly mediated way, motivate agents. And we have even opened at least a clear path to the claim that the question of what we ought to do (especially the question of what we may never do) is finally a matter of *pure* reason being practical, that there is a form of reflective reason not already tied to some pursuit of contingent, material ends, and that this form of pure reflective reason too can be practical, that all our actions can be judged permissible or not by appeal to such an *a priori* endorsement test. (The contemporary version of the claim would be: that there are desire-independent reasons to act.) On such an account, *being* in a certain social role could never of itself count as a reason to do anything. I must reflectively *adopt* the requirements of such a role as a principle of action, actively require of myself a course of action, determine that whatever sort of role or state I find myself engaged in ought to be engaged in or not.

And therewith the other, now very familiar side of the Kant–Hegel dialectic on this issue begins to come into view as well. The list of counter-questions is well known and already hinted at above: in what sense can we be said to be normatively bound to, committed to, what a purely practically rational agent would legislate as required? In what sense am I, just *qua* agent, committed to the requirements of reflective endorsement? Is there any such test? That is, does anything action-guiding really follow from such a commitment, and is there any coherent theory of human motivation that could account for the motivational efficacy of such an always over-riding commitment? On the Hegelian picture, our claims on each other, our normative rules, arise out of and are always aspects of already ongoing ways of life, attachments, institutions, and dependencies. Some such attachments and dependencies are said to be constitutive of being an individual human agent (at some historical period), and any complete reflective abstraction from such involvements creates an artificial construct, whose putative endorsements

(if any determinate ones can be made out) amount to a philosophical fantasy world, bear no relation to the requirements of a concretely human life.¹

And so the familiar back-and-forth. According to Hegel's theory, such social commitments and dependencies do not merely reflect beliefs about value held by individuals for various reasons. They are much deeper than that, are in some sense forms of life or, in Hegel's terms, "shapes (*Gestalten*) of spirit." On the Kantian picture, this all ignores how radically we certainly *can*, *in concreto*, detach ourselves from, reflect on, and possibly reject such inheritances, and can thereby determine in some purely rational (or impersonal or agent-neutral or not at all self-regarding) way, what ought to be done. (In Korsgaard's apposite words: "A good soldier obeys orders, but a good human being doesn't massacre the innocent.")²

However, to come to the most important point of contact, we should also immediately note that, for both Kant and Hegel, to understand each other as *merely* passively shaped by, and in our practical lives merely expressing, the influences of socialization and habituation, communal mores and roles, is to fail to accord each other the appropriate respect, dignity, and worth as the kinds of creatures we are. We are entitled to such respect because the lives we lead are up to us in *some* sense if not the Kantian sense, are actively *led* by us.³ (Recall Hegel's rejection of conventionalism at RP, 14; PR, 11.) Whatever social roles we inhabit or conventions we act out, we have somehow *made them our own*; they function as norms and ideals for us that we must actively and with some justification to ourselves and others actively sustain, and which, like any ideal, we can hold and yet fail to live up to. They are certainly not, according to Hegel, just regularities and dispositions nor are they simply fixed and historically determined. (Recall that for Hegel the most interesting aspect of such practical meaning-making forms and values and ideals is that they change, and the way to such change must lie in the dissatisfactions of individuals trying to live up to them.) The worth of our lives is tied to their being free lives, and their being free lives must be tied to some sort of a subjective acknowledgement of the objective rightness of

¹ Most obviously for the Hegelian side, the long period of childhood dependency in a particular community counts as one of the un-abstractable features at issue.

² Korsgaard (1996a), p. 102.

³ On the importance of reflective, subjective allegiance in Hegel's theory of objective spirit, see Pippin (1997c).

basic institutions and practices. Such acknowledgement, however itself tied to a concrete practice of giving and asking for reasons at a time, can function as it must only if genuinely subjective, not merely a *re-enactment* of an inherited convention. (It is as important for Hegel as it is for Aristotle to distinguish merely “acting in accordance with virtue” and “acting from virtue.”) The disagreement at issue turns on the nature of this act of making these proprieties “one’s own” or “acknowledging their authority,” and so on Hegel’s disagreement with equating such a dimension (which Hegel often calls simply “subjectivity”) with *individual* “reflective endorsement,” especially when that is understood as the practicality of pure reason. And this finally brings me back to my main topic: Kant on the self-imposed norms of reason as a way of illuminating these kinds of claims by Hegel.⁴

II

The clearest way to state the radicality of the Kantian claim about the only possible origin of normative commitments is to repeat his claim that we are always only obligated to what we can, from our own first-person perspective, rationally obligate *ourselves* to.⁵ That is Kant’s solution to the problem of obligation descended from the dead ends created by the divine command and natural law traditions.⁶ If human beings can be duty-bound, can be subject to a universal law, then we must be able to explain how this is consistent with another indispensable premise in Kant’s enterprise: that human beings are full *subjects of* their own lives, not subject *to* any normative authority they cannot, from their first-person perspective,

⁴ Although a much larger topic in itself, one should note that there is considerably more room for rapprochement between Kant and Hegel than is often acknowledged. Kant’s Categorical Imperative functions as a quite basic test of permissibility and so leaves a very large domain of moral experience undetermined, including the social context (itself quite normatively rich) necessary for there to be the act-descriptions plugged into the test, and the large domain of imperfect duties and virtues and principles of right in no way simply deducible from such a test procedure. And Hegel never disputes that there is much we owe all others simply as fellow humans, anywhere and any when, and his own appeal to “*Sittlichkeit*” as a way understanding normatively regulated conduct is remarkably thin, touches only on a few quite basic dimensions of modern ethical life, and so does not at all preclude the relevance of the standpoint of *Moralität* where it is relevant. See Pippin (2006) for some suggestions about such a rapprochement.

⁵ On what it means to occupy, necessarily, such a first-person perspective, see “Morality as Freedom” in Korsgaard (1996a), pp. 162–87, or the opening remarks in the first lecture of her Locke lectures, “Self-Constitution: Agency, Identity and Integrity” (Korsgaard forthcoming).

⁶ A solution many now understand as descended from Pufendorf. See especially chapter Seven of Schneewind (1998), pp. 118–40.

reflectively endorse. And according to Kant's radical-sounding claim, the only way this is possible is if they are both legislators of and subject to the laws they obey.⁷ Nothing about the state of things, history, my social role, nature, or even God can function as a practical reason unless I count such a consideration as a reason to act, and in doing so, in Kant's language, I am giving myself the law. And I can only be said to be genuinely legislating such requirements (as opposed to, say, just expressing an inherited, socialized attitude) if I do so with reason.⁸ It is a big and controversial step to go on to say, as an extension of this claim, that since reflective reasoning is the source of value in this way, we are, therefore, as a consequence of some sort of regress argument, unconditionally *bound to reason itself* and its pure, universal requirements, all with a kind of moral necessity, and in a way that can guide a life. But it is an understandable step, and we shall examine it in due course. As Korsgaard rightly put it, engaging in such reflective endorsement "is not for Kant a way of justifying morality; it [subjecting myself only to what I can reflectively endorse] is morality itself."⁹

So, in sum, both the attractiveness of the Kantian position against the supposedly Hegelian, and its potential paradoxes, as well as the link between Kant and Hegel on the bases of normative authority, are evident in this famous, densely dialectical claim from the *Groundwork*:

The will is thus not merely subject to the law [*dem Gesetze unterworfen*] but is subject to the law in such a way that it must be regarded also as legislating for itself [*selbstgesetzgebend*] and only on this account as being subject to the law (of which it can regard itself as the author [*Urheber*]). (AA, 4:431; F, 48)¹⁰

Surely the first point to make about Kant's claim is that it is *metaphorical*. The image of some sort of putatively law-less person making or originating or legislating a principle and only thereby being bound to

⁷ Kant's use of such formulations are frequent in the *Nachlass* too. Cf the *Opus Postumum*: human being "is obligated, yet thereby self-obligating" (AA 22:118). In the *Naturrecht Feyerabend* (AA 27:132ff.): "Freedom must be restricted, but that cannot happen through laws of nature; for then the human being would not be free; hence he must restrict himself." And, in the *Vorarbeiten zur Metaphysik der Sitten*, 23:250 (33ff.): "nature is an externally imposed law. Since we are free from that, we must make laws for ourselves."

⁸ Cf. Korsgaard's account in "Kant's Formula of Humanity," in Korsgaard (1996a), p. 123: "in our actions we view ourselves as having a value-conferring status in virtue of our rational nature. We act as if our own choice were the sufficient condition of the goodness of its object: this attitude is built into [a subjective principle of] rational action."

⁹ Korsgaard (1996b), p. 89. Clearly, this claim will then also, in a different way, push the question back a step and raise again the question of the justification of morality *so construed*.

¹⁰ See Korsgaard (1996b), p. 100.

it – otherwise not bound at all – makes it very hard to imagine on what sort of basis such a law-less subject could decide what to legislate. Unless you are already bound to the constraint of reason, on what basis could you subject yourself to such constraints? If rational reflection and ultimately reflective rationality itself are the source of all human value, then the whole idea of authoring or legislating *that* principle looks groundless, and the picture coming into focus looks more like a melancholy Dane ready to “leap” or an anguished, near-sighted Frenchman “condemned to be free,” than the dutiful sage of Königsberg.¹¹

This is not a problem unique to Kant. He inherited it from Rousseau, who expressed it in social and political terms quite clearly:

The social spirit which ought to be the work of that institution, would have to preside over the institution itself. And men would be prior to the advent of laws, what they ought to become by means of them.¹²

Of course, some aspects of the metaphorical dimension of authoring the law are not that obscure. Reason legislates when we simply determine what to do on the basis of reasons, and when we do so, *we* are determining what ought to be done; it cannot be anyone else or any other authority unless we also so determine the appropriateness of such claim to authority. And in so determining, we are always relying on a principle of some generality. “Because I felt like it” cannot ever be our self-legislated norm, even if we think it is. But “Always to do what I feel inclined to at the moment” can be, if we adopt such a principle as a result of some sort of reasoned reflection about what we ought to adopt as a principle. But this still leaves the basis of such determination – “ourselves as authors” – obscure and so does not help explain Kant’s paradoxically reflexive

¹¹ Perhaps the clearest contemporary expression of the principle Kant is assuming can be found, not surprisingly, in Rawls (1971), p. 560: “[T]he self is prior to the ends which are affirmed by it.” The spirit of my response to that claim is similar to Nagel’s concluding objections to Korsgaard (1996b). He is objecting to Korsgaard’s account of *why* someone might sacrifice his life for others. Korsgaard says it is because his very “identity” is at stake and he could not live with himself if he betrayed the others. Nagel says, quite rightly I think, “The real explanation is whatever would *make* it impossible for him to live with himself and that is the non-first-personal reason against the betrayal” (Korsgaard 1996b, p. 206). This can be the right response without, I think, any necessary commitment to what Nagel calls “realism.” In her Locke lectures (Korsgaard *forthcoming*), she presses hard on the radical notion of self-constitution and tries to minimize the paradox with analogies to animals who are “making themselves” (sustaining their lives) even though they already are. But this latter notion trades on Aristotelian notions of possibility, actuality, and actualization that are not relevant to a person’s self-constitution and so represent a slide from self-maintenance according to one’s nature to self-constitution and autonomy.

¹² Rousseau (1986, p. 164).

formulations – that reason has itself for its object, that the will “wills itself,” and so forth, the source, I am claiming, of Fichte’s and Hegel’s similarly reflexive and dialectical formulations.¹³

But at this very abstract level of generality, even very un-Kantian predecessors like Christian Wolff could adopt something like this rhetoric. It is even possible to assert both a natural law theory and a self-legislation principle in one sentence: “Because we know through reason what the law of nature prescribes [*haben will*], a rational person needs no further law; he is rather by reason a law unto himself.”¹⁴ And:

Since a rational person is a law unto himself and besides natural obligation needs no other, so neither rewards nor punishment are for him motives for good action and for the avoidance of bad ones . . . And hence someone rational performs the good because it is good and omits the bad because it is bad, in which case he becomes like a god, as one who has no superior who can obligate him to do the good and omit the bad . . . but rather by the perfection of his nature, does this and omits that.¹⁵

Wolff’s “autonomy” language is of course quite restricted by his rationalist perfectionism (reason has an intelligible object in such legislation, not, as in Kant, itself) and by his helping himself to the notion of “intrinsically motivating by nature,” a dodge that Kant cannot afford, but the emphasis on a kind of autonomy and the flexible interpretability of being a law unto oneself, are still quite striking. But the contrast with Kant’s version is also striking. Kant is not just claiming that we exclude empirical considerations and rely on what pure reason and no other consideration can determine we ought to do. He is claiming something like “*pure practical reason determines that its law should be the constraint of pure practical reason, and it thereby submits to the authority of this law.*” Given that Kantian pure reason is in no sense passive, has no natural intelligible object (“the human good”), this has to be Kant’s position.¹⁶

¹³ I should stress again: I take Kant’s formulation to be metaphorical, not literal. The point is to try to understand what he is trying to say without interpreting it as unavoidably paradoxical (see Pinkard 2002, pp. 45–65, 60, 333–55), and without bowdlerizing the claim by taking it to refer to a general principle that one should “think for oneself” and “reason things out” before one acts. See Pinkard’s re-construction of a good deal of post-Kantian thought as dealing with various dimensions of the self-legislative theme.

¹⁴ Wolff (1976), §24. ¹⁵ Wolff (1976), §38.

¹⁶ This is the somewhat skeptical way Kant often puts the matter, but from just a slightly different perspective, it would not be wrong to say in some different register that for Kant freedom, understood both as setting one’s own ends and morally constraining one’s actions, is the human good.

And this separation of pure practical reason from itself and then this re-union is what is so metaphorically puzzling. (It also returns us straightaway to the Hegelian language introduced in chapter 2: the Concept's internal "negativity" and eventual self-identification.) But in Kant's case, without some non-metaphorical gloss, the situation looks like one Nietzsche might describe, where self-rule or self-mastery is simultaneously and perhaps indistinguishably, self-subjection.

Using some of the passages from Kant's *Religion* book, we might also make more plausible the idea of someone's responsibility for "legislating" a life-plan in which she determines that the moral law and not self-love is to be the always super-ordinate principle in all her decisions. That would be a way of "electing" to subject oneself to the law; one would not have such a life-plan unless one had elected to have it.¹⁷ But that would not be an explanation of her *being* duty-bound in the first place (which is the problem), only of the *extent* to which she acknowledges and obeys the already self-legislated binding law over the course of a whole life. We surely do not want to be in the position of saying that the moral law is obligatory only for those who have actually made it binding, and not binding otherwise. The passage surely cannot be opening that door, but it obviously forces on us the question of the compatibility between Kant's emphasis on autonomy as the human source of value with his emphasis on unconditional, or, let us say, unavoidable obligation.

Later in the *Groundwork* it is at least clearer what Kant means to *exclude* by his author or "*Urheber*" principle, and that points in a clearer direction. He says that accepting the authority of any "external" command, or accepting a course of action necessary to satisfy a sensible impulse, is an evasion of our very status as actors at all, of what is involved in inhabiting the unavoidable first-person viewpoint from which we must direct the course of our lives. (That is, we cannot *practically* adopt a third-person point of view on our own lives. That would be like waiting to see what our brain and body will do.) It is a little unclear how to state this, since it is quite obviously important to Kant that the appearance of just *being* commanded or *being* determined exogenously is itself also a self-delusion, in many cases a willful self-delusion. By "letting ourselves" be commanded or determined we are actually not passive at all, but are determining ourselves to act on such a principle, and this claim gets us

¹⁷ Cf. "Morality as Freedom" in Korsgaard (1996a), pp. 164–7, and what she calls the "Argument from Spontaneity."

closer to the inescapability that Kant's *Urheber* principle must involve. A representative passage is:

Now it is impossible to think of a reason that in full consciousness [*mit ihrem eigenen Bewußtsein*] receives direction [*eine Lenkung empfinde*] as regards its judgments from elsewhere; for then the subject would ascribe the determination of his faculty of judgment not to his reason, but to an impulse. Reason must regard itself as the author [*die Urheberin*] of its principles independent of foreign influences. Therefore as practical reason or as the will of a rational being reason must regard itself as free. (AA, 4:448; F, 65)¹⁸

Finally, just to be clear, one should stop to note that while this picture of self-legislation has the appearance of something radical and potentially paradoxical, it is not crazy. It does not suggest: "I am only bound because I bound myself, so I hereby unbind myself." That would be like someone playing chess who moved his rook diagonally, and tried to justify his authority to do so that way. The point is not that he is violating what everyone can see is this ideal object, "Chess," but that he is contradicting *himself*, his own agreement to play chess and all that that commits him to. He is in effect "cancelling himself out," nullifying his own agency in the pretense of agency. The only point in making the strong self-legislation claim is to caution that this concession about something going wrong, about it being quite possible that there is here an objective violation of the rules of the game, does not open the door to objective value, natural law, or any other naturalistic theory. Of course as we shall see in Hegel's account, once practices are instituted (self-legislated) people "see" what to do and do not have to go through any process of value creation and self-obligating. Once there is a practice there are reasons to do things that exist independently of any individual or group acknowledging that reason, reasons that participants are genuinely *responsive* to. Again and again what interests Hegel is that what people might accept as rational, bind themselves to, all on a quasi-Kantian model, can change, and this not in a way that suggests we had it simply wrong, and were now getting it right. In a nutshell: they (norms) change because we can be said to change them. Normative authority, a norm's "grip," can fail. In the collective sense that interests Hegel all that it means for a practice or institution to fail is that it is no longer acknowledged as authoritative by a wide enough spectrum of a community so as to make its enforcement and sanction the

¹⁸ This is one of many passages where Kant does not just say there are desire-independent reasons; he appears to say that there are only desire-independent practical reasons.

mere exercise of power, and the failure helps reveal that its original authority was self-constituted. But that is just the simplest sense. Obviously, we would also want to make distinctions like that between contingent failure (world historically insignificant, perhaps a matter of famine or decadence or collective irrationality) and the sort of internal breakdowns Hegel spends so much time on in the *Phenomenology*, like the breakdown he thought he saw coming in the individualist moralism that he took to be at the heart of the central moral institution in the West.

Moreover, for neither Kant nor Hegel is it the case that there must be something like periodic explicit, intentional, conscious, authorizing, self-obligating ceremonies of some sort (for an individual or a community) to explain the authority of any norm. The gradual invention of opera cannot be said to be something someone or some group intentionally invented by some singular act, but it *was* invented, made. And subscribing to the values of opera need involve no “I hereby do subscribe” inaugural commitment, etc., but the values of opera only bind those who *do* subscribe, those who bestow it, by trying to sing in one, for example.

III

Various possible ways of rendering Kant’s “authorship of the moral law” claim less metaphorical can now suggest themselves. As we have already begun to intimate, most such ways are, paradoxically, ways of denying what the metaphor itself suggests is possible: some state of not-being-obligated, which then becomes, by an act of authorship and subjection, a state of being obligated. The arguments amount to such a denial, and the strategy is already evident in the passage just quoted, with its denial that it is even “possible to think” that reason could receive direction from elsewhere than reason, and with its claim about the practical necessity of acting always “under the idea of freedom,” and so acting on reflectively considered reasons. Such a strategy must accomplish this goal while also showing that it is nevertheless in some sense (if not the obvious one) “up to us” whether we are guided by the reason we unavoidably bind ourselves to, or not. That is, for Kant what is wrong in immoral or unjust actions consists in a violation of the minimal, formal constraints of rationality, and it is only by being subject to such constraints that we can be said to be actors at all. So in not acting well, we fail to live up to the constraints of practical reason, which we impose on ourselves in any action. It must also be said that it is in some way thinkable whether we subject ourselves to such constraints or not, even though attempting to avoid such

requirements must also manifest that we are nonetheless already so subject. A simpler way to put the point would be to say that for Kant, despite the surface grammar, “person” is in no sense a substantive or metaphysical category, but in some way or other, a practical achievement (commitment to the achievement of which cannot be avoided), and the attribution of the notion to an other is an ascription not a description. As Fichte would say, the I posits itself; as Hegel would say, spirit is a “result of itself.”

One way to show this (that there really can be no such literal act or that the act of self-subjection must always already have gone on) is to show that we have somehow always already undertaken the basic obligation in whatever we do, and to be able to show that somehow that “already,” and the claim of unavoidability and necessity, do not cancel out the self-legislation demanded by the active language of “authorship.” (One wants to say that we are not bound to reason because we bind ourselves to it, but that reason is constitutive of the binding legislation without which there are no norms, and so without which there is no way to lead a life.)¹⁹ This has been called a “regress” argument and has received a well-known formulation by Korsgaard, although a somewhat different version has also been proposed recently by Allen Wood.²⁰

I shall return to the moral dimensions of this sort of case later in this chapter. But first, before we reach the issues of practical unavoidability and implicit, undeniable commitments, we need to make less metaphorical the whole idea of our legislating rules or norms to ourselves, and our being bound to them by “binding ourselves.” And Korsgaard and others have argued that ordinary cases of hypothetical imperatives can show this rather easily, and so can help demystify the self-legislation language. This is important because the instrumental form is usually taken as an unproblematic application of practical reasoning, and so it allows a clear view, one would assume, of what practical reason can be said to require of us (what the so-called “normativity of instrumental reason,” amounts to),²¹ and thereby whether this language of self-legislation and authorship makes any sense in that context.

¹⁹ Korsgaard uses this phrase at Korsgaard (1996b), p. 234 and it is the basis of the idea of self-constitution in her Locke lectures (Korsgaard forthcoming).

²⁰ Cf. “Kant’s Formula of Humanity” in Korsgaard (1996a) and her analysis of Kant’s *Grundlegung* (GL, 428–429) on the practical version of reason’s “regress to the unconditioned” (1996a, pp. 119–31). Wood’s account in Wood (1999) depends on a strong claim about the “objective” goodness which his Kant maintains must be claimed by anyone willing rationally in setting that end (any end). His regress then turns on the value of the “source” of this *goodness*. I have presented some objections to this approach in Pippin (2000a).

²¹ Korsgaard (1997), pp. 215–54.

The basic idea in such an approach is not complicated. When I set an end, or do not merely “wish” (in Kant’s sense) to pursue an end, but “will,” actually resolve to pursue it, I can also be said thereby “to have committed myself” to achieving the means necessary to attain it. By authoring one rule for myself (to pursue an end) I have authored another and bound myself to it (to obtain the means), whether I explicitly realize this or not. I set the rules for the game I decide to play, and so can be said to have bound myself to play by them. If I am “rationally bound” to obtaining such means then “I *have* bound myself” just by setting the end, and reason will have been shown *already* to be practical, to have satisfied the “internalism” requirement, or to have been shown really to motivate an action. Not everyone, for example, must take organic chemistry to succeed in college, but if I resolve to go to medical school, when I learn how important for admission a good grade in “o-chem” is, I must either give up the end, or follow through on my commitment by attaining the relevant means. And the important point here from a Kantian perspective is not at all the predictive point that someone who resolves to go to medical school will very probably, almost certainly, sign up for that chemistry class. That would be a kind of third-person viewpoint which treats beliefs about means as a kind of gate or shunt for desire, such that beliefs about means merely direct the flow of motivational desire, which desire for the end is still doing all the real motivational work. In this case, it seems quite artificial to say, with the Humeans, that my desire to be a doctor remains the motivating force in this way, and that it has been “guided through knowledge about the utility of o-chem,” so that I somehow also “pick up a desire for it” on the way. Something more than that is clearly going on here, since, speaking from the first-person perspective, it would at least initially seem that I can genuinely have that belief about the usefulness of o-chem, genuinely want to go to medical school, and still not automatically head for the registrar’s office.²² I can fail to live up to what I know it is rational for me to do, even while I really do commit myself to the end in question and the relevant means. And if this is so then we must admit something that Hume, in effect, never did: that there is such a thing as practical reason, that there is a “normativity of instrumental reason,” as Korsgaard has put it, or there is a question, as Kant put it, about the rational “necessitation” (or “constraint,” *Nöthigung*) of the will in instrumental cases (AA, 4:417; F, 33). The ultimate point of seeing things

²² I say “initially seem” here because I will try to show in chapter 6 why from Hegel’s point of view there is no weakness of the will.

this way is quite important (and one Hegel would agree with): that “to be rational just *is* to be autonomous,” (my emphasis) or “to be governed by reason and to govern yourself, are one and the same thing.”²³ There are no laws out there which we need to “see” and adopt our behavior to. There are only laws we give ourselves, to which we are bound because we have committed ourselves to them, such that, if we don’t follow through, we won’t have decided anything at all; we won’t be rational, *that is*: subjects, persons, agents.²⁴ (The somewhat confusing but very important point here is that being a subject means being able to fail to be one, something that already tells us a lot about the point made in chapters 1 and 2: the uniquely practical, not metaphysical status of subjectivity in the post-Kantian tradition.)

There is an awful lot packed into this last claim. The difficulties come when we try to state in this case as well as the more ambitious case about moral commitment or self-legislation, what all of this amounts to in detail, how to gloss what it means to “govern ourselves” in cases like these. All that I want to show here is that the model of individual agents completely detaching or disengaging themselves from their concerns and lives, and then reflectively committing to or endorsing very general principles of action by reliance on some “pre-commitment” and unavoidable form of practical reasoning, will lead into one paradoxical situation after another (and so I hope back to Hegel’s more collective and historical version of such self-making). As we have seen, the question is a very large one; it goes to the purport of this quintessentially modern insistence that some consideration can count as a genuine reason for action only if we “make it our own,” adopt it in a way that we can defend (even just to ourselves), and when we can be said to have adopted it because of such a recognition of these justificatory considerations. On Korsgaard’s version of Kant’s account, this means that a person is not being instrumentally rational and so not governing herself, her life is not her own, if she merely wants an end, has a certain belief about the right means, and is merely *in fact* pursuing those means. For Korsgaard, she must also be pursuing the means *because* she believes she ought, that that is the rational thing to do, that that rational identification of the means is a norm she can live up to or not, all in order for her to count as self-governing and not “accidentally rational.”

²³ Korsgaard (1996b), p. 219.

²⁴ Cf. the indispensable article by Dieter Henrich, “The Concept of Moral Insight and Kant’s Doctrine of the Fact of Reason,” in Henrich (1994).

This is quite a controversial way to put the matter because there is already an ambiguity in such an account between being “guided” by reason and being “motivated” by it (terms that Korsgaard tends to treat as synonymous). Again, a Humean could certainly accept the former. As just noted, this is precisely what practical reason does in Hume: guide us to the means that in fact themselves lead to an end. In so far as we are being rational at all, we follow that guidance, where here being ideally rational at all just means that nothing has gone causally haywire. But in that sense of guidance (as Korsgaard points out), not going where such guiding reason leads is nothing like a failure of rationality. It has to be a mistake, a breakdown, or ignorance or failure of memory, etc., or a change of heart about the end. To show *rational failure* we have to show that we are motivated by what reason requires when we act rationally, and that we can fail to heed this claim, even though we acknowledge and accept it. That is a much different and more controversial matter. At least at this point, the whole notion of “committing oneself” to an instrumental norm and “following through” or “failing” even while still committed, is vague and metaphorical and needs to be clarified.

A major problem with all of this stems from Kant’s complicated claim that,

[W]hoever wills the end, so far as reason has decisive influence on his action, wills also the indispensably necessary steps to it that he can take. This proposition, in what concerns the will, is analytic; for, in the willing of an object as an effect, my causality, as an acting cause of this effect shown in my use of the means to it, is already thought, and the imperative derives the concept of actions necessary to this purpose from the concept of willing this purpose. (AA, 4:417; F, 33–34)

But if it is analytic that “whoever wills the end, wills the means,” then we have not imposed a normative law on ourselves *with respect to these means*, and the direction we were just following is irrelevant; we should U-turn back to Hume. According to Kant’s strong analyticity claim, someone who does not pursue the means necessary to the end that he has committed to is not being irrational, is not failing to conform to a norm that he has imposed on himself. He simply reveals that he had not really willed such an end after all; he merely “wished it,” or fantasized about achieving it, etc. The criterion, the test, for having “really” willed it is willing the means.²⁵ You may tell yourself and everyone else that you are

²⁵ Cf. the “already thought” above, and the “derives the concept of actions necessary to this purpose.” The implications of such a counter-claim are extremely important for Hegel’s understanding of agency and will be fleshed out in chapter 7.

working to dismantle capitalist class inequalities, and you may give away a certain amount of money, but your BMW and your Brioni suits and your Tuscany villa tell us much more about your genuine ends.²⁶

But there is an escape clause in this passage; the clause “so far as reason has decisive influence on his action.” And it is a good thing too, because besides making this claim about analyticity, Kant also claims that hypothetical imperatives are *imperatives*, and that must mean “norms that we adopt and can fail to observe.” Perhaps we can admit, in other words, that there may be self-deceived or hypocritical cases like our limousine socialist. But there are also cases where the right analysis of what happens when the means to an end are not sought is more directly a failure of rationality; we are being irrational, and that just means: not abiding by the norms we have legislated for ourselves, bound ourselves to. Surely this can happen too. We want to go to medical school with every fiber of our being, but math anxiety takes over when we face o-chem, and we sign up for art history classes instead. That is, we can genuinely will an end, but fail to will the means simply because the normative claim of reason fails. In such cases we should state the analyticity principle more carefully: anyone who has reasons to pursue an end has reasons to pursue the means relevant to it. Or whoever ought to pursue an end (setting a goal is a normative matter too, after all), ought to pursue the means. We have to state it this way because what is crucial about instrumental reason being reason, normative, is that it must be able to fail; to be adopted and held, but avoided and ignored at the relevant moment. Otherwise the language of norms and hypothetical imperatives is inappropriate, and we should be talking about what people are very likely going to do, given what else they are doing.

And Korsgaard gives a few plausible examples. A man who believes that an injection will spare him from a deadly disease, and who wants to be spared, nevertheless refuses the injection because he is terrified of needles. He does not give up the end of survival and adopt as a priority the end of avoiding being stuck by needles. And there is the classic Western or civil war movie scenario. Tex has been shot in the leg and will die if the leg is not amputated. As his comrades prepare to amputate, Tex begs them, in agony and fear, not to amputate. But we, and his comrades, do not take

²⁶ Cf. Anscombe (2000), pp. 7–8. Especially relevant for the question of the relation between “inner and outer in action” [to be discussed in Chapter Six]: “Well, if you at least want to say at least some true things about a man’s intentions, you will have a strong chance of success if you mention what he actually did or is doing” (Anscombe 2000, p. 8).

such protestations as what he genuinely wills. We (presumably) know that what he must really will is to stay alive (what he would will were he able to deliberate calmly), and we know that his protestations are the irrational irruption of anxiety and fear, that he doesn't *really* prefer avoiding amputation at all costs, prefer even death, to undergoing an operation like that without anesthetic.

This last case seems right, but we should be careful about concluding too much from it. There are three problems. In the first place, it simply is not easy to tell when a person has really willed an end and is just irrationally failing to pursue the means he has normatively committed himself to. Unless we want to beg all questions from the outset and just require as a condition of agency always being prudentially concerned with long-term benefit over short-term gains, we don't have any clear right, certainly not *a priori*, to tell what a person's "true end" really is in cases like the above. In the case of our limousine socialist, it seems much more appropriate to say that he hasn't really set any end of abolishing the class structure, even when he sincerely reports that belief, and the best evidence for such a denial is that his actions show no serious intention of attaining the means to do so. It is important to note such a more plausible construal here because it is going to be crucially important in chapter 6, when we examine how Hegel de-psychologizes talk about intention, and links logically "inner" aspects of intentional action with "outer" manifestations.

What might distinguish this from other cases, where we might want to say: he *has* set the end but is "weak," and cannot muster the resolve to seek the means? Why not say: his not seeking the means is very good evidence indeed that he has not really set, willed, the end? We need only add the plausible qualification that no one wills an end come what may, no matter what, but with a number of implied *ceteris paribus* hedges, and subject to unforeseen difficulties not now known. In the case of Tex and our needle-avoider, we rely on the assumption that the end of staying alive is an obvious one to impute, and so we go the "weakness" route. But is it so outrageous to suppose that someone might reckon a distant probability not as important as avoidance of an imminent pain, that there is nothing that requires us to say that he is "weak" (whatever that means); or to reject *a priori* that someone might rather die than undergo a procedure that, to him, might be worse than death itself; or that someone has no idea what is most important to him and can argue himself into either position? (Imagining what Tex might decide in a cool deliberative moment is not automatically the right test for what he wants, what goals he has set, at least not without begging all the relevant questions.)

Korsgaard wants to claim that “obligation in general is a reality of human life.”²⁷ But what is going on here hardly seems like Tex is “avoiding an obligation.” It would certainly be odd if one of his buddies pointed out to him, “But Tex, just by being alive and wanting to live you have rationally obligated yourself to have your leg amputated.” I would venture the bet that in most cases like this, where people profess (even to themselves) to have set an end, and do not seek the necessary means, that it is much more likely that they have either not really set such an end, do not in fact count the end as important as they profess, have changed their mind about the end when confronted by difficult means, or, what is most likely, have usually set the end in some qualified manner; as in – so long as it doesn’t cost me something else I value very highly. (This seems exactly how most people adopt the end of staying married “‘till death do them part.”)²⁸

Secondly, it is not at all clear just how, from a Kantian point of view, we are supposed to state the elements in our irrational failure to live up to a norm we have supposedly committed ourselves to. When Korsgaard mentions factors that might explain how people can be said to become “irrational and weak-willed,” she mentions such things as “terror, idleness, shyness or depression,” and she goes so far as to call these “forces” that “block” “susceptibility to reason.”²⁹ With respect to Tex, we hear: “The right thing to say is that fear is making Tex irrational.”³⁰ And in a similar passage, we read that “timidity, idleness and depression . . . will attempt to control or overrule my will.”³¹ For me to be leading my life, she insists I must actively seize control of my own destiny, “consciously pick up the reins, and make myself the cause of the end.” When I don’t do this “I, considered as an agent, do not exist” and therefore “Conformity to the instrumental principle is thus constitutive of having a will, in a sense it is even what gives you a will.”³²

Surely the first thing to say here is that Korsgaard has let her Kantian admiration for autonomy get out of control. If, in not conforming to an instrumental principle, I have *ceased to be an agent*, then surely what we

²⁷ Korsgaard (1996b), p. 113.

²⁸ There is a passage in Korsgaard (1996a) where she seems to make just this point. She points to case where “rules and principles are *constitutive of, and therefore internal to*, the activities themselves. If I am to walk I must put one foot in front of the other: this is not a rule that externally constrains my walking, or boxes me in like the walls of a labyrinth, or that I can with much coherence rebel against” (p. 234; my emphasis). Or: if you want *X* and *Y* is in this way internal to it, not pursuing *Y* just means you have not really willed *X*.

²⁹ Korsgaard (1997), p. 229. ³⁰ Korsgaard (1996b), p. 238. ³¹ Korsgaard (1996b), p. 246.

³² Korsgaard (1996b), p. 246.

have here is not *my* failure of rationality. It sounds like: *I* haven't failed to realize a commitment; something has happened *to* me in all these examples that prevents this realization. Something "*blocks*" the motivating power of reason; fear "*makes* me irrational," and so forth, all exactly as our Humean wanted to say earlier. This may be a breakdown in the power of reason to motivate, but it all here sounds like a disease or exogenous interference, not *my* failure or weakness. What has happened to the Kantian "incorporation" principle (which Korsgaard accepts),³³ according to which fears and desires and inclinations, while they may incline me to do something, can never be counted, just by their occurrence, as motives to act (and therewith as explanations), that they must be incorporated in a maxim, taken as good reasons by an agent, for them to count as my motives? If we take this incorporation principle to heart, it becomes even less plausible to appeal to Korsgaard's "failure" or "weakness" account since I must be counting some present anxiety, aversion or anticipation as worth acting on, and if I am doing so, then I am diverting *myself* from the original end, not failing to follow through on a commitment.³⁴ It makes a great deal of difference, in other words, whether these emotional factors are said to "control" or "overrule" my will, to use the two terms Korsgaard uses synonymously.³⁵ They are not synonymous. If the former,

³³ Cf. especially her "Kant's Formula of Humanity," in Korsgaard (1996a), pp. 110–14, and her citation of passages from the *Metaphysics of Morals* (e.g. pp. 387 and 392 – these passages have been quite influential in recent discussions of Kant, as the work of Tom Hill evinces), and especially also Kant's *Conjectural Beginnings* essay, and his *Religion* book.

³⁴ What is going wrong here, I think, originates in the Christian language of "weakness," and so the corresponding appeal to "strength" of resolve. The common-sense description of this as a case of irrationality is a good place to start. It would say that Tex's refusal is "irrational" because the urgency of the situation, the sheer lack of time and crisis conditions, require Tex to make a decision in such unusual circumstances that he does not decide what he very likely *would*, were he to be able to reflect calmly and in full awareness of the facts and consequences. We might (and usually do) add that he would like to identify as the "Real Tex" that calmly reflective agent. But this is a bit of a fantasy as well. In resisting the amputation, Tex is not "too weak" to be the "Real Tex." He expresses and discovers something about this real Tex in such resistance, something about the nature of his commitment to life, the weight of his fear of pain, his ability (or lack of it) to invoke and rely on an ideal picture of himself, and so on. He is not, in resisting, "weakly" the Real Tex. He is just Tex.

³⁵ Cf. also "Morality as Freedom" in Korsgaard (1996a): "The person who acts from self-love is not actively willing at all, but simply allowing herself to be controlled by the passive part of her nature, which is in turn controlled by all of nature. From the perspective of the noumenal world, ends we adopt under the influence of inclination rather than morality do not even seem to be our own" (p. 168). Something is clearly going wrong here because *most* of our sensible ends are adopted "under the influence of inclination" and, strictly speaking, the idea that someone can "allow" themselves to be controlled, but is *not* thereby "actively willing" is incoherent. Not much is gained, I would argue, when one simply bites the bullet on this one and claims that, therefore, on the basis of these considerations, "evil is unintelligible" (p. 171).

“control,” which Korsgaard’s examples suggest, we don’t have an irrational action, but no action at all, a breakdown in agency not its failure; if the latter, “overruling,” we have a case of counting something as worth more than something else, and so perhaps a case of ignorance or foolishness, not weakness or wantonness.

Moreover, if we try to take a few steps back and argue that I am originally responsible for the kind of character that would produce these emotional storms (that I have chosen it and so must live with the current consequences as my fault, even if I can’t do anything about it now), we will not only introduce all sorts of moral luck problems involving the social conditions and opportunities (or lack of them) under which such a character was formed (and so will have undermined any strong “responsibility for my character” view, just as, in the Hegelian world we would want to do), we will thereby introduce again the implausible picture of some character-less agent choosing a character as if a suit of clothes.³⁶ Indeed that implausible picture is already suggested by Korsgaard’s unusual language: that by committing yourself to some instrumental norm, you “give yourself” a *will* in the first place. While we couldn’t ask for a better contemporary evocation of the route from Kant to Fichte (and his *Ich* that posits itself), I’m not sure that the characterization helps us with Kant.³⁷

Finally, third, while it is important to stress that we cannot be living norm-governed lives unless we can both acknowledge the authority of, and yet fail to live up to, such norms, there are other ways of expressing and accounting for such failure than by the problematic (and in Kant paradoxical) appeal to weakness, or any other such Christian notion of a frailty usually tied to sensibility (or any such notion of sin). When we find that we do not seize an opportunity to acquire means to an end we had believed was an end of ours, something we had willed to pursue, we

³⁶ For Korsgaard’s attempt to make the notion plausible, see Korsgaard (1996a), p. 181.

³⁷ What Korsgaard wants to say (very clearly in the second of her Locke lectures, Korsgaard *forthcoming*) is that it cannot just be *tautologous* that someone who wills the end wills the means (and so: someone who doesn’t will the means must not have willed the end), because then the clear normative force of claims like “You really should see the dentist about that tooth” would be hard to explain. But the Humean has no problem denying there is such a thing as practical reason at all, so it is no objection to point that out to him. (That is, he accepts that it cannot be said to be more irrational to prefer the continuing toothache to a speedy resolution at the feared dentist’s.) More broadly, I think Korsgaard is right to criticize the Humean for explaining how the motivational efficacy of some end pursued works causally, but do not agree that this means hypothetical practical principles are norms in her sense. An “expressivist” account of action, and an account of a revisable-over-time, provisional theory of intentions (we very rarely *know* whether we have really opted for an end or not, until we see what we actually are willing *to do*) could fill out such a picture of a non-causal account.

simply could be said to fail to live up to an ideal we had of ourselves. Someone simply finds out that she wasn't who she thought she was; all these years firmly convinced that she was seeking *A*; it turns out she wasn't. We could of course put this by saying that she finds she did not have the "will power" or strength of resolve, even though she had committed to *A*, but we have already seen the paradoxes of that view. It seems more appropriate to invoke the language of self-knowledge and self-assessment, and to concentrate on what her actions reveal about the ends she really does care about.³⁸ That is just what we shall see Hegel doing in his reflections on the "self-legislated" view of normative authority.

IV

However, at this point, it may be that our search for some de-metaphorized account of the strong authorship interpretation of autonomy needs to take into fuller account an aspect of the issue mentioned briefly earlier. We seem to be getting into some trouble taking too literally some pre-law situation, whereas we might want to try harder to undermine the possibility of such a putative option, even while still trying to retain the authorship and self-subjection issues. Entertaining such an option in order to show its normative impossibility would be the required argument. This gets us more directly to the "what we must be taken *to have obligated ourselves to*" position.

Indeed, even in the instrumental case, we have not addressed all of what it means to have "failed to live up to" a norm of instrumental rationality. As we saw in Korsgaard's account, that involves somehow failing to be an agent; not to have set the course of my life, but to have allowed it *to be set* exogenously. (We have also seen that it is unclear on a Kantian account how we should describe our doing that, since, despite the hedge words, "letting" or "allowing," it *is* a doing and, again paradoxically, we have to be an agent in order to "fail" to be one.³⁹) But the point at the moment is that we should describe the stake we have in our commitment to observing the claims of reason a bit more fully. We don't just "come that way," susceptible and responsive to such demands automatically. The point is that we must commit and hold to the commitment or else we will not be

³⁸ That is, the idea would be: those who pursue an end that a full or fuller use of reason would not endorse are being "irrational," even if that pursuit cannot be traced to a weak act of "will."

³⁹ To lessen the air of paradox, perhaps one should say: we can fail to "live up to" what being a person or subject requires. This is in keeping with Hegel's account of truth as the "agreement of a concept with itself."

subjects of our lives; or the point is: what the commitment *means* to us. Since, according to Korsgaard's Kant, when I don't hold to such commitments, "I, considered as an agent, do not exist," then this stake in reason "issue[s] in a deep way from our sense of who we are."⁴⁰ Our very "practical identity" is at stake. And this too takes us close to the language of identity and identification with my projects that we saw briefly in Hegel's *Encyclopedia* passages.

Practical identity in general "is better understood as a description under which you value yourself, under which you find your life worth living and your actions to be worth undertaking."⁴¹ There will be many contingent versions of these – professor, husband, friend, American – so, even though in all of them, I can be said to have a practical identity only by maintaining a commitment to the norms which constitute each, I could be said to "adopt" one, "abandon" another, and nothing about mine need have any claim on you.⁴² But it is the next step in the development of this line of thought that returns us to Kantian moral theory. Are there "particular ways in which we *must* think of our identities"? If there are, will these be the sought-after "moral identities," such that losing them would be "worse than death"?

As just noted, these claims about practical identity have put us somewhere in the neighborhood of the "social role" considerations to which we called attention at the outset. The differences are also becoming clearer too. On this view of Kant, such roles, if they are to function as normative constraints, must be somehow seen as products of reflective endorsement by each individual. An individual must be able to see himself as the author, *Urheber*, of the role and its relationships. For Hegel on the other hand, the practical roles are the prior conditions for any reflective content, and this not as a matter-of-fact limitation, but as expressing the objective normative structure of modern ethical life itself. (It is a limit only in the sense that constraint by norms is a condition of the possibility of freedom.)⁴³ But more famously, on Kant's account there is an ultimate moral identity and attendant obligation that trumps any other contingent obligation, and his case for that will return us to the most important manifestation of the self-legislative metaphor.

⁴⁰ Korsgaard (1996b) p. 18. ⁴¹ Korsgaard (1996b), p. 101.

⁴² Cf. also Korsgaard (1996b), pp. 239–41. Korsgaard often appeals to a claim like: "at the moment of action, I must identify with my principle of choice if I am to regard myself as the *agent* of the action at all" (p. 241).

⁴³ Brandom (1977).

We might first say that being a human being at all, or some universal feature of being human, can function like this inescapable identity, such that losing it would mean losing a recognizable human life, any course of existence that could have value to a human being.⁴⁴ Or at least we might say it as long as we keep faith with Kant's "authorship" principle here too. We cannot *lead* a life at all without authoring, and without commitments to, such practical identities, but therefore the value of having any practical identity itself, and also the necessary conditions for any such identity, *does not have the same status as such particular roles or identities*. The value of reflective reasoning itself – the condition for anything mattering to us in a distinctly human way – doesn't arise out of contingent attachments and dependencies; it is what we must keep faith with if we are to sustain any identity at all. We have value as human beings because we value ourselves as human beings, and the introduction of this notion of practical identity is supposed to make more transparent, by means of this sort of regress, why we could not but value our humanity.⁴⁵ The direction suggested by the authorship principle is supposed to lead to this argument form. To value anything and hold oneself to the commitments necessary to attain it, is already to have valued this capacity itself, to have acknowledged that we cannot be human just by being; we must posit ends and hold ourselves to norms, and so valuing *that* capacity above all is inescapable. In a phrase that somewhat runs counter to the self-legislation principle, but by now can also be seen to embody it: this is what it is to be human – an evaluator and rational end-setter.⁴⁶

In this way all value depends on the value of humanity; other forms of practical identity matter in part because humanity requires them. This human identity and the obligations it carries with it are therefore inescapable and pervasive, even though, given the kind of feature of human life it is, it is not an identity one can be said simply to have, like a substance's identity through time. This is the claim – that our human

⁴⁴ Actually this reference to the identity of a human being concretizes Kant's view more than is warranted. Strictly speaking, we should be talking about the conditions for the possibility of all rational beings, whether from Mars or wherever. For an account of the many difficulties this causes and the complexities of taking the human being reference seriously, see Thompson (1995), and Thompson (forthcoming).

⁴⁵ Korsgaard (1996b), p. 121. Wood's version of this move is similar, but, because it involves quite a substantive commitment, is considerably more controversial: I reveal "an esteem for myself which . . . is what holds me to my rational plan" (Wood 1999, p. 119). I should think that I hold to my plan simply because I still want the end, even when my desire has turned into a calm passion, barely noticed as such.

⁴⁶ "If we do not treat our humanity as normative, none of our other identities can be normative, and then we can have no reason to act at all" (Korsgaard 1996b, p. 129).

identity is a kind of result, a posit that we make and sustain over time – that I have suggested would be taken up eagerly and would provoke much speculative gymnastics by later idealists, especially since, now that the very identity of a subject is at issue, the dialectical dimension of a subject as an unusual “result of itself” is clearly on view. And it is the source of some of Kant’s own most speculative moments. (The second *Critique*’s invocation of a “fact” of reason in what appears to be an unusual “exposition/demonstration” of the reality of human freedom already appeals to this notion of “making” in the root, *facere*, or “making,” of *Faktum*. In this sense “acknowledging” the normative claims of reason is precisely not what the ordinary meaning of fact, or knowing a fact, would imply; it is much more like the “authoring” or self-legislation and self-subjection to such a norm. Or, a commitment to practical reason is a deed, a “*Faktum*,” something we do, not something we passively notice or accept; it is effected.)⁴⁷

But all of this gets us only so far and not yet to any necessary moral identity. In the first, and most well-known place, this argument shows only that in order to preserve any basic coherence in acting, you must be presumed to value humanity in your own person, must value *your* reflective capacity. To argue for some inescapable moral identity would be to argue that you cannot so legislate such a value without valuing humanity itself, respecting such a reflective life-leading capacity in everyone. To show this some try to demonstrate that we can start with our own private, unavoidable, normative commitment to our own humanity, and then reason in some “transcendental-argument” way that we are thereby committed to acknowledging the value of humanity in another, in anyone at all. But even if successful, this appears to show at most that I must acknowledge the value of each person’s humanity *to* him or her, and not that *I* must value *your* humanity. More ambitious attempts, like Korsgaard’s and Nagel’s, start by attempting to deny that my valuing my own humanity can really be understood as just *my* valuing *my own* humanity. They argue in different ways that whatever reasons I have, originally, from the outset, must be reasons to value humanity itself, and that means to be committed to the value of humanity anywhere there are human beings. I *can’t* value it in just my case alone, goes the

⁴⁷ Or at least, that would be one, rather adventurous way of reading the *Faktum* claim, in the spirit of Korsgaard’s rather Fichtean Kantianism. For a general discussion of the *Faktum* passage, see Ameriks (2002). See also Pippin (2000c) for a fuller account of the link between Kant’s theory of normativity and Fichte’s self-positing language.

argument; there couldn't be any "reasons" to value it like that. And since I must value humanity itself in order to value my instantiation of it, I am committed to respecting humanity as an end in itself, and we would thus have shown a moral identity.

The question of whether this argument establishes such a moral commitment to a universal value is one that would obviously require at least another book. But it is also unclear exactly what is being established by the claim, what "the value of our own humanity," and so the inherent value of humanity itself, involves. Korsgaard makes extraordinarily generous use of the argument form, so generous as to render it immediately suspicious. She claims, for example, that our valuing, taking care of and pleasure in, our animal nature presumes a commitment to the value of animal sentience wherever we find it, and so gives us a way of thinking about our duties to non-human animals. This seems to me like quite a stretch, and the source of the discomfort resides in how much is being deduced by noting that we must value our animal nature in some sense. I don't think I need have any general views about whether *animality* is a valuable thing, even if I take some pleasure in *mine*, and I can't see that I am expressing such a view when I avoid cold and pain and so forth. And this question points to the larger, similar issue at stake in the universal value of humanity. Any such moral identity, that view of ourselves as merely one among many is, in the Rawlsian terms that Korsgaard adopts, merely a "concept," a statement of the problem, not yet a "conception," a specification of the substantive answer. That is, let us assume that taking the source of value to be this capacity for reflective endorsement commits me to that value itself, and that I can't be holding such a commitment, and so cannot be an agent, have an identity, if I do not respect that capacity in others. But this too is still a concept, not a conception, a formal statement of the problem and not a substantive solution. We don't, for one thing, know *how* important that value should be. If it is automatically a trump against all other values, it would be hard to understand the kinds of real conflicts (not just resistance to duty) that emerge in the conflicts between our contingent practical identities and such a putative moral identity. And if it is so important as to be of inestimable value, then, when I take risks for my own amusement, and so value the pleasure of driving fast over safely maintaining my reflective endorsing capacities, am I being immoral?⁴⁸

⁴⁸ I don't mean driving recklessly. I mean doing anything that heightens the risk to my rational nature without also in some other way enhancing that identity.

V

But, more importantly, we cannot derive from a deductive analysis of a rational agent alone any content for such a commitment, any sense of what makes up this value of humanity, or the essence of freedom as reflective endorsement. Given a general concept of ourselves as one-among-many, and as not relying on any consideration in my evaluating that I am not also willing to grant you entitlement to (which is all the regress argument allows us to say), the various conceptions that could manifest such a commitment are far broader than the specific “post-Enlightenment” ones that Korsgaard cites. As she often points out, which conception satisfies such a concept does so “by way of practical identity.” We need to understand the distinctly human way in which persons acknowledge and hold themselves to values before we can understand what in particular they may not rationally ignore in others. As she points out,

human identity has been differently constituted in different social worlds. Sin, dishonour, and moral wrongness all represent conceptions of what one cannot do without being diminished or disfigured, without loss of identity, and therefore conceptions of what one must not do.⁴⁹

And,

The concept of moral wrongness as we now understand it belongs to the world we live in, the one brought about by the Enlightenment, where one's identity is one's relation to humanity itself.⁵⁰

Exactly right, say we card-carrying Hegelians, but such a sweeping admission concedes the whole match between Kant and Hegel, and brings us round full circle to the alternatives with which we began (and so to the point of this long digression into Kant's self-legislation formula). If the distinctly moral realization of the requirement of reciprocity inherent in any reflective end-setting is a matter of “history” in this way, and there is *nothing more* we can say about the normative authority of this historical epoch, then the formal requirements everywhere in force are nowhere near as important as the fact that the realization of these requirements is socio-historically specific. This makes it unlikely that there could be any deductive account of someone's core practical or moral identity and that whatever legitimating account there might be will probably be developmental, not deductive, and whatever self-legislation is going on it will be

⁴⁹ Korsgaard (1996b), p. 117. ⁵⁰ Korsgaard (1996b), p. 117.

collective and specific to some stage or other of this development, and never from the ground up.

In this respect, Hegel may prove to be more Kantian than Kant. As we have seen several times, the obvious Kantian thing to say here is that there is no particular reason to grant our historical location in late modernity any normative authority unless that form of life can be itself reflectively endorsed. But given the road we have traveled, just trying to do so, fulfill such a criterion in the way “we” would understand such an attempt, would be merely, and in a question-begging way, manifesting again the form of life we wanted to authorize. In Hegel’s language, the rational status of Enlightenment modernity can be made out philosophically, but not by means of a deductive methodology nor by an analysis of the concept of agency. (That object of analysis is a moving target.) We still need some alternative way of accounting for how we can be said to make these historically specific attachments, dependencies, social roles, and social ideals our own, some alternate way of accounting for their legislated character and our submission to such legislated results. Hegel’s intuition is here quite a useful one. He focuses our attention on the experience of normative insufficiency, on a breakdown in a form of life (a situation wherein we cannot make them any longer our own), and thereby, through such a *via negativa*, tries to provide a general theory of re-constituted positive normative authority out of such breakdowns.

But that is of course another topic, and it would take a good deal of work to show that everything changes when we regard norms as collectively legislated over time, rather than elected by individual rational endorsement. I will try to say something about this in chapter 4 and more about the psychological issues of reflective endorsement in chapter 5. I have only tried to suggest here that it is unlikely that an account of the subjectivity of moral life could rely on an appeal to something like such an individual endorsement test based on some sort of formal self-legislation.

I have suggested that Hegel thinks of this issue of authority, and its self-legislated source, both very much more broadly than Kant (or at least the traditional Kant; there is all the Hegelianism we need in Kant’s deep commitment to the view that we know only what we make, that reason legislates to nature and does not beg), as well as more historically. I want now to try to indicate just how broad and how historical the scope of Hegel’s self-legislation claim is for him.

CHAPTER 4

The actualization of freedom

I

The discussion in chapter 3 introduced Hegel's distinctive claim that philosophy must concern itself with the "actuality" of the concepts with which it deals, a differentiation something like Rawls' distinction between a concept and a conceptualization. Hegel introduces with such a notion a distinction between an idealized or utopian (and thereby practically distorting and possibly naïve) notion of a free life, and what appears to be an insistence on a realistic account of what a free life, or a life of one's own, could be for the organic, striving, socially organized, mortal historical beings we are. There are well-known objections to this dimension of Hegel's thought. Although he regularly characterizes his practical philosophy (indeed, his philosophy as a whole) as a philosophy of freedom,¹ and although Hegel frequently makes crystal clear that he considers himself a resolute defender of modernity, his practical philosophy has nevertheless been shadowed by two disturbing accusations of illiberal, even reactionary elements, and they both have to do with this actuality condition. The first is the charge of anti-individualism, as if Hegel was insufficiently attentive to the modern claims of individual natural right and indeed supposedly believed that individuals themselves were best understood within a metaphysical theory of actuality, that they were according to such a theory mere properties, or as contingent, secondary, ultimately unimportant manifestations of what is truly "actual," which is a supra-individual ethical substance (as if individuals were not fully real or actual).² According to this

¹ Cf. EL, §23, and especially the Remark to §24: "freedom means that the other thing with which you deal is a second self – so that you never leave your own ground but *give the law to yourself*" (EL, 84; EnL, 39, my emphasis). (This characterization of thinking as self-legislation will be central to the general characterization of normativity given later in this chapter.)

² An excellent statement of this kind of criticism can be found in Theunissen (1982). I dispute Theunissen's characterization of the Berlin Hegel in chapter 7.

charge, Hegel was an “organicist” about politics, someone who believed that the individual parts of this ethical organism had no more claim to individual standing and intelligibility as proper ontological actualities than a severed hand, a kidney, or a lung might have. Each could only be what it truly or actually is within some self-sustaining and supra-individual whole.

The second accusation is the suspicion of some sort of unusual historical positivism, a sanctification of what happens as if (or as actually) decreed by a divine providence. “What is actual,” so goes perhaps the most famous and most quoted of Hegel’s phrases, “is rational,” and “what is rational is actual” (RP, 25; PR, 20). That is, the events of world history must be understood to be moments of a coherent, intelligible, even rationally necessary development, and the story of this development is the story of “World spirit” (that supra-individual “ethical substance” again, now writ very large and in time) gradually coming to complete self-consciousness about itself. This is the process that supposedly underlies and is responsible for the major actual historical changes in philosophical, political, religious, and aesthetic history.

These charges are not without apparent textual foundation. Hegel does sometimes call individuals “accidents” of an “ethical substance” (RP, 294; PR, 190), and does write that, with the successful establishing of such an ethical substance, “the self-will of the individual and his own conscience in its attempt to exist for itself and in opposition to ethical substantiality, have disappeared” (RP, 303; PR, 195–196). And there would appear to be the same basis for the second charge, that Hegel is committed to a wildly implausible historical theodicy. In the “Introduction” to *Lectures on The Philosophy of World History*, Hegel explicitly calls his investigation a “theodicy, a justification of the ways of God,” and he calls the history of the world “a rational process, the rational and necessary evolution of the world spirit” (VdG, 48, 30; LPWH, 42, 29). In the “Addition” (or “Zusatz”) to paragraph §377 in the *Encyclopedia* account of “Subjective spirit,” Hegel firmly rejects accounts of history which reduce it to “a play of meaningless activity and contingent happenings,” and insists by contrast that history is ruled by “divine providence” (PSS, 1:8–9, Petry’s translation altered).

Yet these quotations, and many others like them, only make clear the challenges to be faced in any interpretation of Hegel. They appeal to notions like the actuality of “ethical substantiality” that have no historical precedents and clearly depend on a Hegelian (and so markedly

revisionist) notion of “substance.”³ And Hegel appears to deny not the claims of individuality as such, but only an extreme notion of a stubborn self-subsistence or “self-will” (*Eigenwilligkeit*) and therewith morally problematic dogmatic appeals to private conscience. Moreover, while Hegel appeals often to a notion of divinity, this appeal must also be made consistent with the many passages where he appears to claim a divinization or becoming divine of human being itself,⁴ and so relies on no traditional notion of a separate, benevolent deity. Finally, such accusations must somehow be made consistent with passages like the following (from §482 of the *Encyclopedia*):

the Greeks and the Romans, Plato and Aristotle, even the Stoics did not have the idea of an actually free will. On the contrary, they thought that only through birth (by being, say, an Athenian or Spartan citizen) or by strength of character, or education, or by philosophy (the wise man is free even if a slave and in chains), that a person is really free. This idea came into the world through Christianity. According to Christianity, *the individual as such has an infinite value* as the object and aim of the love of God, destined as spirit to have an absolute relation to God, to have this divine spirit dwell within him, so that persons as such are destined, or have as their vocation, the highest freedom. (PSS, 3:266–269, my emphasis)⁵

³ Cf. the well-known claim: “That the true is actual only as system, or that Substance is essentially Subject, is expressed in the representation of the Absolute as spirit – the most sublime Notion and the one which belongs to the modern age and its religion” (PhG, 22; PhS, 14). For more on this claim about “the Absolute” see Pippin (1993a). Also see this passage from the Introduction to the World History lectures: “The substance of spirit is freedom. From this we can infer that its end in the historical process is the freedom of the subject to follow its own conscience and morality, and to pursue and implement its own universal ends; it also implies that the subject has infinite value and that it must become conscious of its supremacy. The end of the world spirit is *realized* in substance through the freedom of each individual” (VdG, 64; LPWH, 55).

⁴ Here is one of boldest:

it is of the essence of spirit to be free, and so to be free for itself, not to remain within the immediacy of what is natural. On account of the position from which we are assessing what we call human spirit, we have spirit within a relationship as the middle between two extremes: nature and God; the one being for man, the point of departure, the other being the ultimate end, the absolute goal. (PSS, 1:4–7)

⁵ In *The Philosophy of Right*, at §260, Hegel summarizes more concisely than anywhere else the importance of both the “subjective” and “objective” sides of the realization of freedom:

The principle of modern states has enormous strength and depth because it allows the principle of subjectivity to attain fulfillment in the self-sufficient extreme of personal particularity, while at the same time bringing it back to substantial unity, and so preserving this unity in the principle of subjectivity itself. (RP, 407; PR, 282)

Hegel then contrasts this accomplishment with antiquity, wherein “particularity had not yet been released and set at liberty and brought back to universality.” And he concludes that “only when

II

The challenge to be faced is then first of all interpretive, not primarily apologetic. It is profoundly unclear what Hegel could have meant in the passages cited in the objections, given what else he had to say and how inconsistent the latter are with the meaning ascribed to Hegel in the objections. As suggested, such interpretive challenges can be met only by attempting some comprehensive overview of Hegel's practical philosophy, some attempt to understand the sort of questions these claims are supposed to answer.

There is one issue in particular that ought to guide any such reconstruction. It becomes apparent as soon as one tries to take seriously Hegel's qualification at the end of the Addition to §2 in the "Introduction" of *The Philosophy of Right*, where he explicitly warns that a "familiarity with the nature of scientific procedure in philosophy, as expounded in philosophical logic, is here presupposed" (RP, 32; PR, 28). Such a presupposition is clearly everywhere relevant in the first paragraph of *The Philosophy of Right*, where Hegel makes the sort of claim that is so typical of the way he approaches the issue of freedom and all other distinctly philosophical issues: "The subject matter of the philosophical science of right is the Idea of right – the concept of right and its actualization" (RP, 29; PR, 25). He goes on in the Remark to stress that "philosophy has to do with ideas" not "mere concepts," and the issue that separates such treatments is "actuality" (included as a moment in any account of the former, but not the latter, where the question of existence is treated as external, a matter of contingency). And he makes clear that introducing the issue of "actuality" into philosophy is not merely a question about whether a concept does or does not happen to have instances corresponding to it in the real world. If that were true it might sound as if Hegel were qualifying his practical philosophy either by restricting philosophy to an analysis or perhaps rational reconstruction of already existing political and social structures⁶ (which is itself a prominent

both moments [the objective universal and individual subjectivity] are present in full measure can the state be regarded as articulated and truly organized" (RP, 407; PR, 283).

⁶ This option is for all intents and purposes rejected by Hegel in the Remark to PR §2, where he states explicitly that the existing form of right, what people at a time actually think right is (what is called their "representation" or *Vorstellung*), need have nothing to do with a concept's "true" actuality. He uses the Roman legal understanding of slavery as a case in point, where what was taken to be consistent with right is not, "actually" (RP, 33; PR, 26). In the Berlin (1830) version of the *Encyclopedia Logic*, in §6, Hegel patiently and in great detail explains that of course he did not mean by the famous phrase from *The Philosophy of Right* Preface to forestall criticism of existing

interpretation of the “historical positivist” charge against Hegel) or by immediately restricting any consideration of what ought-to-be to what is practically possible at a historical time, what is “realistic.”⁷

But the relation between concept and actuality is described in much less familiar and much more speculative terms, terms that recall Hegel's caution about scientific or logical presuppositions in §2. For we are told that we must consider the actuality of *any* concept (where actuality is already distinguished somehow from the mere “existence” (*Dasein*) of instances) only in so far as the concept “*gives itself* actuality” (RP, 29; PR, 25). This unusual relation between concept and actuality is said not to be “just a harmony, but a complete interpenetration (*vollkommene Durchdringung*)” (RP, 29; PR, 26). Since “the idea of right is freedom,” we thus must somehow understand both the concept of such freedom and its actualization and final actuality, and we must thereby understand how such a concept “*gives itself*” this actuality. (This language is also quite prominent in the “Introduction” to *The Lectures on the Philosophy of World History*, e.g. “the universal property of spirit is that it actualizes those determinants which it possesses *in itself*” (VdG, 66; LPWH, 57, my emphasis).)

Understanding such claims is clearly indispensable in any consideration of the accusations noted above, and to any overall assessment of Hegel, for the claim to actuality is at the heart of both problems. The much-criticized idea that freedom is actualized only in some shared ethical life (*Sittlichkeit*), that one cannot be actually free alone, but only as a participant in actual social institutions, especially that an individual can

regimes (“for who is not acute enough to see a great deal in his own surroundings which is really far from being as it ought to be?” [EL, 49; EnL, 10]). His point, he stresses, was to criticize a certain notion of practical rationality, what we would today call a defense of “external reasons” and to defend a version of “internalism,” the claim that, “If there are reasons for action, it must be that people sometimes act for these reasons, and if they do, their reasons must figure in some correct explanation of their actions” (Williams 1981, p. 102). For more on the relevance of this distinction to Hegel's account of actuality see my article, “Hegel's Ethical Rationalism,” in Pippin (1997a), pp. 417–50. This discussion begins to answer a question opened up by Laden (2005). Hegel's theory of practical reason is in one sense Rousseauian or Kantian in that it is based on principles of the will (what the will must will) and so on the social facts on which principles depend, and not built up out of an individual's psychological states, like beliefs and desires and preferences. But Hegel also wants to try to show how and why our *attachments* to these institutions begin and grow in stability. There is an experiential dimension to his account that includes the subjective or psychological side. The *locus classicus* for the beginning of that story is the “struggle to the death for recognition.”

⁷ He rejects this possible interpretation in the Remark to §3, denying that any “systematic” understanding of right has anything to do with “a positive code of laws such as is required by an actual state” (RP, 35; PR, 28–9).

only actually be free in the state, and the claim that philosophy is not about ideals which we must try to approximate, but that it can only retrospectively comprehend the rationality of the actual, all depend on how we understand such claims about the status of actuality and how we come to terms with the initially opaque claim that the concept of right, freedom, gives itself its own actuality.⁸

III

I have suggested that Hegel's theory of concepts is a theory of "ought's," norms, rules telling us how to make categorical distinctions, principles that govern material inferences, that prescribe what ought or ought not to be done, and so forth, and that his main problem is an account of possible conceptual content and the normative authority of any such "determination," to use his favorite word. In that respect his "theory of the Concept" is his theory of normativity (and therewith of all theoretical and practical intelligibility) and that theory, I have suggested in chapter 3, is some sort of a self-legislative theory. That is why Hegel insists on "the realm of freedom"; like Kant he is talking about reason's absolutely free self-authorization. To understand this claim and why it is relevant to the practical philosophy, we will need some sort of view, however abstract, of how Hegel means us to understand this unusual notion of a concept "giving itself" its actuality.

The central issue in *The Science of Logic*, and especially in the Concept Logic (*Begriffslogik*), takes as its point of departure the fact that discursive thinking requires the ability to use concepts and so the capacity to attribute or predicate. To be able to distinguish between correct and incorrect uses of concepts, we need an account of conceptual determinacy: by virtue of what are we able to understand this concept as designating (successfully) this-such, and not that-such? (Just versus unjust; quality versus quantity; nature versus spirit.) By virtue of what is one inferential move legitimate, another not? To be able to judge what anything is, to ascribe any predicate, we must be able to classify and discriminate in a way that differentiates such a subject, by means of such a

⁸ It is also obvious that, whatever Hegel's actual position, what he was *taken to mean* by some descendants influenced world history like almost no other philosophy. The idea of providing for a person's "real" or "objective" freedom opened the door that led eventually to "People's Democratic Republics" and other Orwellian claimants to such a title of reality. This legacy has long distorted discussions of Hegel and indeed distorted a proper appreciation of the whole Continental tradition in normative theory, the Rousseau-Kant-Fichte-Hegel tradition.

predication, from what it is not; we must be able to explain, in principle, what getting this ascription right and failing to get it right amount to, and Hegel conceives of *The Science of Logic* as, partly, an overall answer to such questions about the possibility of conceptual determinacy as a normative issue.

With the problem understood in this way, we can then try to provide an account of what conceptual capacities we must have in general in order to discriminate determinately in experience at all, in order for any representation to have any possible content. Something of this Kantian exploration is clearly going on in *The Science of Logic* as a whole. Reflection on such possibility is the issue, but philosophical reflection is to be distinguished from the modern “new way of ideas,” the mind’s inspection of its contents and operations, and so forth, and directed towards a new question, the question of the *possibility* of determinate content “for itself” (in experience) in the first place. This Kantian turn is not, of course, the whole story in Hegel’s *The Science of Logic*, but it is a reasonable, initial point of orientation.

The introductory remarks to the Concept Logic, “The Concept in General,” the section he calls “The Concept of the Concept,” gives the most general picture of this enterprise. As indicated, what we want to know is what Hegel thinks a Concept Logic is, beyond what we have already said, all in order to understand what it has to do with the realm of freedom and the problem of actuality, and I want to follow several hints given in this passage. The first is the most difficult and controversial, and has quickly and obviously emerged in the summary above. Almost two-thirds of the Concept Logic Introduction deals with debts to and some differences from Kant’s arguments about the nature of concepts and judgments in *The Critique of Pure Reason*. Moreover, the link between the Kantian orientation and the claim about freedom as a kind of self-legislation is also indicated several times, although all of the references are obscure and, as we have seen, seem to establish such a link at least partly by way of recognizably Fichtean terminology. This is something already prominent in the emphasis on “positedness” (*Gesetzsein*) in many of the passages, especially this one describing the broad differences between an objective and a subjective logic. That is,

Freedom belongs to the Concept because that identity which, as absolutely determined, constitutes the necessity of substance, is now also sublated or is posited, and this positedness [*Gesetzseyn*] as self-related simply is that identity. The mutual opacity of the substances standing in the causal relationship has

vanished and become a self-transparent clarity, for the originality of their self-subsistence has passed into a positedness; the original substance is original in that it is only the cause of itself, and this is substance raised to the freedom of the Concept. (WL, 2:16; SL, 582)

Another typical claim would be:

The Concept, when it has developed into a concrete existence that is itself free, is none other than the I of pure self-consciousness . . . the I is the pure Concept itself which, as Concept, has come into existence. (WL, 2:17; SL, 583)

This precedes by a few lines the claim around which an entire interpretation could be constructed,⁹ Hegel's unqualified praise of Kant's "insight" that the unity of the concept is none other than the unity of apperception (WL, 2:17–18; SL, 584). The reference there to "the unity that the essence and the Concept make" suggests the problem of conceptual content or determinacy; and the equation "the Concept" with "the unity of the I think" suggests the sort of non-empirical origin or self-positing that seems to be the bridge to the claim about freedom.

Several elements are involved in this frequent use of Kant as a point of orientation and contrast for the whole Concept Logic. The most obvious thing to say is that some common point is being made in Kant and Hegel against a realist theory or an exclusively empirical (and certainly a nominalist) account of conceptual content. The determination or proper fixing of content involves some kind of empirically independent activity (independent in the normative sense, where that means: in a way that does not wholly rely on empirical content as ground or justification). Thus, all judgment rests on excluding and inferring relations that constrain what we can intelligibly think and articulate by normatively constraining "what we ought to think," not by being psychological propensities or limits. Such a status already points to the broad issue of freedom (though certainly not, as we shall see, freedom of *choice*), since on this account such normative authority cannot be derived from any empirical or realist claim. And the dependence in question has nothing to do with existence claims about such content, as if the existence of the world depended on such activity. The dependence concerns the only possible sense (or justification) content-laden claims about the world could have. The great problem is then obviously the source of such normativity, especially of determinate norms.

⁹ Pippin (1989).

This situation can look philosophically unpromising when we now recall our topic: that Hegel calls the Concept Logic itself the realm of freedom, suggesting even more strongly an anti-empiricism so pronounced that it looks like the “evil twin” of any empiricism, or realism, or naturalism: a theory of self-positing conceptual content that would seem in no way responsive to, just everywhere (and mysteriously) subjectively constitutive of, the intelligibility of the world. And the problem intensifies further when we recall all of Hegel’s frequent attacks on the limitations of Kant’s transcendental version of idealism. The results of transcendental philosophy, whether in what Kant calls a “regressive” or “progressive” form, are always *relativized* in some way. Claims about the conceptual structure of objects can be said to be warranted only in so far as such claims about possible objects are necessarily presupposed in, say, mathematics as a system of synthetic *a priori* truths, or can be said to be objectively valid as conditions for experiencers like us, most especially for creatures with our forms of intuition.

But Hegel is very clear that the conceptual and judgmental and inferential capacities laid out in *The Science of Logic* are not to be understood as “our” ways of rendering intelligible, of giving an account. (Hegel makes very clear several times that he thinks that this “imposition” idea is fatal to the Kantian philosophy and its descendants, that it is *the* “capital misunderstanding” (WL, 2:21; SL, 588). It leaves us with a kind of second-class and so unsatisfying truth.) Part of the task of the Jena *Phenomenology*, called “the deduction of the concept,” had been to show that we can dispense with the “our,” the “subjective,” the “finite” qualifications of transcendental philosophy, even while we need not dispense with claims about the “actuality” of such “self-authorizing” concepts. The Kantian language – that pure concepts of the understanding can be shown to have objective validity – has been transformed into the opaque notion of a concept’s having actuality, something that Hegel thinks can be demonstrated by showing how a concept can be said, as he puts it constantly, to “give itself its own actuality.” It is possible to study such concepts apart from their actualization but we must always remember the incompleteness of such a perspective. The true object of philosophical science is the idea (*die Idee*), which Hegel everywhere understands as the concept *in*, or *together with*, its actualization (*Verwirklichung*), a turn of phrase that re-appears frequently in Hegel (at the beginning of *The Philosophy of Right*, and at the beginning of *The Lectures on Aesthetics*, to cite just two examples of many instances, and also virtually whenever Hegel is trying to explain

the relation of *The Science of Logic* to his *The Philosophy of Right*). The same direction is suggested at the very beginning of “The Concept in General”:

Now although it is true that the Concept is to be regarded not merely as a subjective presupposition but as the absolute foundation, yet it can be so only insofar as it has *made itself* the foundation. (WL, 2:11; SL, 577, my emphasis)

I take this phrase, that the concept has “made itself” into a “foundation” to be in apposition to a concept “giving itself actuality,” and to show that the “actuality” in question is something like *actual or effective (objectively valid) normative status*. What sort of normative status this could be is the question for the Concept Logic. He repeats such formulations several times later, for example:

Now it must certainly be admitted that the Concept as such is not yet complete, but must rise to the idea which alone is the unity of the Concept and reality; and this must be shown in the sequel to be the spontaneous outcome of the nature of the Concept itself. For the reality that the Concept gives itself must not be received by it as something external but must, in accordance with the requirement of a science, be derived from the Concept itself. (WL, 2:20; SL, 587)

And finally,

On the contrary, logic exhibits the elevation of the Idea to that level from which it becomes the creator of nature [*Schöpferin der Natur*] and passes over to the form of a concrete immediacy whose Concept, however, breaks up this shape again in order to realize itself as concrete spirit. (WL, 2:25; SL, 592)

While it is possible to hear distinct Kantian echoes in these claims (mere concepts are like the results of the Metaphysical Deduction; ideas are actualized concepts, schematized categories or Principles, concepts understood in their objective relation to actual objects), all of these passages can still seem to suggest an uncontrolled form of conceptual scheme idealism. While Hegel is in one sense obviously preparing his readers for the transition from the *Logik* to the *Realphilosophie*, he is also creating a general picture of how we should think about a concept’s actuality or objective validity that is hard to bring into focus, especially if we keep asking what this has to do with “the realm of freedom.” Perhaps the clearest passage where the two issues of actuality and the discourse of freedom are brought together is from the *Encyclopedia Logic*:

We must imagine the ancient philosophers as men who stand right in the middle of sensory intuition, and presuppose nothing except the heavens above and the

earth beneath, since mythological representations have been thrown aside. In this simply factual environment, thought is free and withdrawn into itself, free of all material, purely at home with itself. When we think freely, voyaging on the open sea, with nothing under us and nothing over us, in solitude, alone by ourselves – then we are purely at home with ourselves. (EL, 98; TEL, 69)

IV

But now we need to appeal to some qualifications insisted on by Hegel; qualifications that reveal he was well aware of this “frictionless spinning”¹⁰ problem and that he took himself to have avoided it as well as any “imposition” or “creationist” accounts of actuality or objective validity. These qualifications will return us then to the original question of the realm of freedom, and how to fit that together with these claims about actuality. In the practical philosophy itself, the explicit philosophy of freedom, we face a similar problem: a way of describing our “actual” responsiveness to the claims of reason that does not amount to treating the authority of such claims as requiring the imposition of the rational will on a recalcitrant sensuality, nor such an identification with our empirical, sensible nature that reason assumes the merely instrumental role of securing as much satisfaction or happiness as possible. *The Science of Logic*’s argument suggests that if we are to understand such a responsiveness to reason that is neither an imposition nor an unreflective subordination to the “practically given,” we will need to understand first what it means to understand the relation between concept and actuality in this, to say the least, non-standard way.

With these Kantian passages in mind, Hegel can be seen to be making a point similar to one made by Sellars in a linguistic context, that the objective grasp of a concept is nothing other than mastery of the correct use of a word, and hence, in Brandom’s extension of this Sellarsean claim, that the sense of any possible not-I, let us say, any objective content is inseparably linked to the structure of our asserting and inferring and justifying practices (our *Setzen*, let us say). And so, to continue with Brandom’s formulations, our understanding the possibility of an individual object is linked inseparably with, is a function of, our understanding the use of singular terms, and our understanding a possible fact is a function of our understanding what can be asserted by a proposition,

¹⁰ McDowell (1994).

and our sense of a natural law is a function of our understanding of counter-factual inferring. As soon as we admit that the logical form of asserting, or of the concept–object relation or the logical form of inferences are in no sense responsive to, formed in the light of, alterable in the face of, empirical reality, we are therewith close to the Hegelian claim about a concept giving itself its own actuality. The summary Kantian formulation of this point is exactly what Hegel invokes:

An object, says Kant, is that in the concept of which the manifold of a given intuition is unified. (WL, 2:18; SL, 584)

This is a claim Hegel then quickly translates into his speculative language,

When it is comprehended, the being-in-and-for-self which it possesses in intuition and pictorial thought is transformed into a positedness; the I in thinking pervades it. (WL, 2:18; SL, 585)

But these passages, read in this Kantian context, are only making the same point about the self-sufficiency of reason's own authority – that it (*this* way of understanding the sense of particular, fact or law) owes this normatively legislative authority to no higher or lower authority; just to itself. The point being made is about the autonomy of the normative domain, in both theoretical and practical contexts. It is because of this claim that Hegel is completely untroubled by the threat of scientific or any other form of determinism. No discovery about the brain will ever be relevant to the question of whether I ought to believe any claim about the brain; no discovery about the social dimensions of evolution will ever be relevant to the question of whether I ought to sue my neighbor about his overhanging fruit tree (unless I decide for some reason that they *ought* to be relevant). This is not a claim about the theoretical requirement of an uncaused spontaneity of thought, as Kant flirted with in the third section of the *Groundwork*, but a claim about the space of reasons itself and what could and could not be in the Hegelian sense “logically” relevant to it. Moreover, there are passages that are clearly meant to balance the “uncontrolled”-sounding ones, that indicate that Hegel is not talking either about deducing the existence of the actual world or spinning conceptual determinations out of thin air:

Thus, philosophy does owe its development to the empirical sciences, but it gives to their content the fully essential shape of the freedom of thinking (or of what is a priori) as well as the validation of necessity (instead of the content being warranted because it is simply found to be present, and because it is a fact of experience). In

its necessity the fact becomes the presentation and imitation of the activity of thinking that is original and completely independent. (EL, 58; TEL, 37)

This passage also summarizes nicely the thesis defended here with its equation of freedom with “the a priori,” and it indicates that Hegel is not separating the question of determinacy from the philosophical question of legitimacy or *quid iuris*. Being able to answer such a *quid iuris* question without appeal to a given, a pure form of intuition, or by reversion to an imposition claim is what “giving content” the “essential shape of the freedom of thinking” amounts to. There is a similar passage from “The Concept in General”:

But philosophy is not meant to be a narration of happenings but a cognition of what is true in them, and further, on the basis of cognition, to comprehend that which, in the narrative, appears as mere happening. (WL, 2:21; SL, 588)

These passages at least indicate where to look when looking for the source of determinate candidates for such normative status (to the actual development of the empirical sciences, and to various narratives, as proposing candidates for such a status). And we have some hint about the normative status of the Concept. Such authority is established, constructed we might even say, not discovered, and established by experiencing over time the practical impossibility of denying such authority. One is shown to presuppose it when trying to deny it; to undertake the normative commitment one is attempting to avoid. This is a formulation at least as abstract as *The Science of Logic* itself, but it at least suggests one way of thinking about the connection between a concept giving itself actuality and the realm of freedom. We saw a version of this in chapter 2 in discussing the problem of what a satisfying explanation amounted to as an essentially practical one; in Hegel’s terms a matter of spirit satisfying itself.

And spirit, we have to remember, is always a form of collective mindedness. Thus remarks like the following introduce another crucial element into the picture:

The Notion [*Begriff*], when it has developed into a *concrete existence* that is itself free, is none other than the *I* or pure self consciousness. True, I have notions, that is to say determinate notions; but the *I* is the pure Notion itself which, as Notion, has come into *existence*.

... the [structure] constitutes the nature of the *I* as well as of the Notion; neither the one nor the other can be truly comprehended unless the two indicated moments are grasped at the same time both in their abstraction and also in their perfect unity. (WL, 2:17; SL, 583)

The notion that the concept should be understood as a “free” structure only makes sense in the terms introduced here, and that is even more so with this link to the structure of pure self-consciousness. As we shall see in chapter 7, Hegel understands the “structure of the I” as necessarily a social structure, and a subject’s freedom to involve necessarily a social dimension, ultimately the achievement of mutual recognitive status. To say that the structure of the Concept is the same as the structure of the I is to claim that the normative authority of any concept is a matter of the same sort of social institution or collective self-legislation required for the I to have the status of subject-agent. Conceptual legitimacy is not secured by being shown to hook onto the world in a certain way, but by virtue of its being instituted and sustained in the right way. (“The right way” must await chapters 7 and 8 for any exposition, but the pragmatic and historical nature of the Hegelian account of rationality is already clearly emerging.)

This direction is suggested by one of the most oddly beautiful of Hegel’s many reformulations of the issue. When he is discussing “the universal (*allgemeine*) Concept” and claims that “The universal (*Das Allgemeine*) is therefore free power,” he hastens to point out something crucial to his practical philosophy as a whole (and especially important to chapter 5 here): that this should not be understood as something like the exercise of legislative power over something separate and resistant. What is “other” than the Concept can itself play its role as other only as so conceptualized; there is no “self” to be legislated to except by virtue of the constraint of what must be collective legislation. This again invokes the great paradox of “self-legislation” (the fact that there is no binding law until we submit ourselves to it would seem to imply that this act of subjection is itself lawless, as if “pre-law,” that there is an original lawless state that must be constrained, as if normativity arises out of the pre-normative ooze) and the passage again only suggests metaphorically how Hegel wants to think his way out of the paradox, but the suggestion is a rich and interesting one. What he is trying to say is that this free legislative power is not exercised arbitrarily or mere subjectively upon a non-conceptual manifold or against other self-determining subjects. Some point of reconciliation can be reached where this doubt or skepticism about subjectivity and the difficulty of distinguishing authority from power can be overcome:

it [the universal] is itself and takes its other within its embrace, but without doing violence to it; on the contrary, the universal is, in its other, in peaceful

communion with itself. We have called it free power, but it could also be called free love and boundless blessedness, for it bears itself towards its other as towards its own self; in it, it has returned to itself. (WL, 2:35; SL, 603)¹¹

V

In practical philosophy, the Kantian version of the actuality issue is the question of whether pure reason (or the acknowledgement of pure practical reason's supreme law) actually "can be practical," can actually determine the will. In Kant, this is supposed to be shown "through a fact wherein pure reason shows itself actually [*in der Tat*] to be practical" (AA, 5:42; CprR, 43). This appears to be a claim to some sort of practical undeniability, something Kant thinks can itself be established by appeal to "sound common sense" (AA, 5:105–106; CprR, 108–109), but which essentially involves appeal to the very possibility of conceiving of a principle of action devoid of empirical interest and formulated with perfect rational universality. The very entertaining of such a possibility, Kant claims, establishes its *practical* reality. Speaking from the practical or first-person point of view, the very possibility of my awareness of the dictates of a purely conceived practical reason establishes from that perspective that I cannot deny that I am subject to such a law and thereby establishes that I can act accordingly. In Kant's version, this does not establish that I can in some metaphysical sense actually be such a cause (reason is powerless to answer such questions), just that I cannot but so conceive myself, else I try to do something like establish "with reason that there is no reason." Accordingly the very "exposition" of the notion establishes its reality (AA, 5:46; CprR, 47), and, in his most speculative formulation, the actuality of the moral law cannot be established either philosophically or empirically, but it "is firmly established of itself [*steht dennoch für sich selbst fest*]" (AA, 5:47; CprR, 48). He might as well have said that the "concept gives itself its own actuality."

He essentially does say pretty much this in the second *Critique*. He notes that the categories of freedom "are directed to the determination of a free choice" and these concepts

¹¹ This introduces a large topic, worthy of a book-length treatment on its own. Since Dilthey (1990) suggested in 1905 that Hegel's development could be understood as variations on his early work on love, transformed first into the notion of life (*Leben*) and then spirit (*Geist*), interpretations of how that transition was made and what it means have been common in the Hegel literature. See especially Harris (1972) and Henrich (1971), p. 27.

do not have to wait for intuitions in order to receive meaning [*Bedeutung*]; and this happens for the noteworthy reason that they themselves produce [*selbst hervorbringen*] the reality [*Wirklichkeit*] of that to which they refer (the disposition [*Gesinnung*] of the will). (AA, 5:65–66; CprR, 68, translation modified)

And this is all of course in line with the self-authorization by reason of its own authority, the way we have been interpreting such claims as that *Verstand* or all the higher intellectual faculties should be understood as faculties [*Vermögen*] “of producing representations from itself” (AA, 3: B 75).

Hegel in other words is also trying to provide an account of philosophical knowledge, independent of experience, not reliant on traditional, epistemologically suspect rationalist assumptions, but which might claim more than “knowledge of the concept” alone, which could claim an *a priori* knowledge of content, or claim that he could determine that the concept must have *such* a content, such determinate normative force. As we have seen, this all involves both a theory of the possibility of content in general – how concepts in their judgmental use and claims to normative authority, successfully might pick out and correctly re-identify an aspect of reality – as well as an *a priori* justification of the validity of certain, universal, non-empirical judgmental claims, claims that all possible content in experience must conform to certain conditions. As in Kant, so in Hegel, the focus is on the possibility of judgmental content, and the claim (greatly expanded and modified in Hegel) is that a case can be made for the sort of content certain judgments *must* have, that they *do* have such a content, and that such a case does not depend on any claim about the deliverances of our sensory contact with the world, or about what we happen to desire.¹² Given a pure concept of the understanding (e.g. causality) we can determine *a priori* the experiential content (“for us”) of such a concept (necessary succession according to a rule) and determine that there could be no content of (our) experience not subject to such a rule (the argument of the Deduction and the Principles). Or we could claim that, given a certain concept – the single universally applicable practical law of reason – we can, in this case by appeal to the “fact” of reason itself, or by appeal to something like its practical undeniability, establish its “actuality” or validity, that

¹² Since concepts are understood functionally, demonstrating what content judgments must have could be expressed by a demonstration of what one must be able to do with a concept, how one can and cannot wield it in judgments. That is what the notion of content has become, after Kant’s attack on rationalism and empiricism. The origin of this approach is Kant’s functional account of concepts as rules, or “predicates of possible judgments.” See the account in Pippin (1981a), chapter Four, pp. 88–123.

all rational beings are in fact (as Kant says, “in der Tat”) obligated, bound by, such an imperative.

Both aspects of Kant's case are of course as controversial as anything in Hegel, and, while Kant tries hard to assimilate the theoretical and practical issues within one problematic (he calls the practical problem also a problem of “the synthetic *a priori*”), that single problematic has not been easy for commentators to make out. But, in these very general terms, Kant and Hegel can be said to share a commitment to a decisive shift in answering the philosophical question about the nature of the link between mind and world, or between reason and sensible interests. A great deal in Hegel's project, and especially a proper understanding of the speculative language (idea, concept, actuality, etc.) in which his practical philosophy is stated, depends on understanding that for Kant, and for Hegel after him, the issue of objectivity or the problem of actual content has ceased to be an issue about the correct (clear and distinct) grasping or having of an idea or representation, and has become, most broadly, a problem of *legality*, our being bound by a rule of some sort that prohibits us from judging otherwise.¹³ The problem of objectivity has thus shifted from what the world or ideas or meanings, somehow, as some sort of facticity, “won't let us say” veridically about what there is, to the problem of the source of this internal normative constraint, our subjection to a rule about what we ought to judge and ought not to judge.¹⁴ In the same sense, nothing about our matter-of-fact attachments, interest, and desires can be said to count as in themselves responsible for or even on their own as reasons for an action occurring. If they do so count, they can only if taken by a subject to count thus, and this cannot again be a manifestation of nature without the problem recurring.

Thus the common bond between the idealisms of Kant and Hegel, for all their differences, involves their common commitment to a controversial answer to questions like these: that the source of a basic normative constraint in any judging must somehow at some level lie “in us,” either in the nature of the understanding and reason in Kant, or even as results of our own “self-limiting” activity, our legislating, “positing” and self-constraining, as in the direction taken by Fichte and followed by Hegel.¹⁵

¹³ This is an idea made much of by Brandom (1994).

¹⁴ See Pippin (1981a), chapter Six, “The Transcendental Deduction,” pp. 151–87, and Pippin (1989), chapter Two, “Kantian and Hegelian Idealism,” pp. 16–41.

¹⁵ The crucial turning point in the idealist tradition is Fichte, a figure also essential for understanding how normative issues in theoretical and practical philosophy began to be assimilated. See Pippin (2000c).

This large project, or some version of it (the version just given is controversial) is what must be kept in mind in approaching Hegel's practical philosophy. The two decisive turning points in that philosophy involve (i) the status of the general notion of spirit itself (what sort of content the notion could be said to have, why we should believe that there is any such putative content or what sort of validity the notion has, why it could not be explicable naturally, and so forth) and then (ii) the case Hegel makes for what he calls the "objective" realization of any such spiritual being, the "rational system of the will" known as the *Philosophy of Right*. In the broadest possible terms, appreciating this approach means that, first, when we start looking for the kind of case that would justify the delimitation of a range of some events as actions – that is, try to justify "the objective validity" of the notion, spirit, or establish that freedom is possible – or, second, attempt to demonstrate that persons *are* subject to the specific requirements of "right," and that the notion must finally have a determinate sort of content to function as such a norm (ethical life, or *Sittlichkeit*) – we will not be searching about in the metaphysical or empirical world for the existent truth-makers of such claims. We will instead be looking for the source of what can only be a self-legislated and self-imposed normative constraint. In Kant's case we would be trying to establish a "transcendental" version of this subjective necessity, appealing to some undeniable feature of any possible experience, or we would be appealing to that rather mysterious "fact of reason," or some practically undeniable claim of our own reason on us. Part of the story of the relation between Kant and Hegel comes down to Hegel's deep suspicions of the Kantian strategies just sketched and his decision, again under the influence of Fichte, to take these general claims about self-legislation and self-imposition much more seriously and then to try to work out some theory of the true normative status of such self-legislation. Whereas Kant held out some hope for a deductive demonstration of a notion's or a norm's actuality, or objectivity or bindingness, Hegel's procedures in all his books and lectures are developmental, not deductive (Hegel takes as seriously as Kant did the "priority of the practical," although not in Kant's regulative way).¹⁶ The proof procedure shifts from attention to conceptually necessary conditions and logical presuppositions to demonstrations of the partiality of

¹⁶ Even though Kant titled the section in which he introduces the Fact of Reason "Of the Deduction of the Principles of Pure Practical Reason," he quickly admits that such a deduction of the moral principle would be "vainly sought" (AA, 5:47; CprR, 48). So, despite the title, it is not quite right to call Kant's justifying procedure in the second *Critique* "deductive." If anything, the appeal to the fact of reason is closer to the metaphysical "expositions" in the *Transcendental Aesthetic*, or an exposition that is thereby a validation.

some prior attempt at self-imposed normative authority (and in his *Phenomenology*, accounts of the experience of such partiality and the lived implications of such partiality), and the subsequent developments and reformulations necessary to overcome such partiality. Sometimes these developments are highly idealized, to the point of artificiality; sometimes, as we shall see, they offer a historical reconstruction of actual developments as a way of making this point about partiality and development.

Looking at the Hegelian project this way, of course, leads us to a decisive and somewhat unstable turning point in European or what we now call Continental philosophy, the point where Kant's great inventions, his attempt to re-conceive a purely rational philosophy in the face of the collapsing authority of traditional rationalism and the unsatisfying modesty of modern empiricism, inventions like his notion of transcendental subjectivity, or of only "practical reality," are being reconceived in this developmental way, and that means also socially and historically, and where his self-legislating moral subject is reconceived as much more than a practically necessary idea and is instead animated with an historical life. Thus begins the debate about what philosophy (or its distinctive problem of normativity) really is if such a move can be made, and how it is different (if it is) from a sociology or anthropology of knowledge¹⁷ (from just what we as a matter of fact have taken to be normatively binding), or even from a historical materialism or a contingent form of life, or the way we simply go on, and so forth. Kant's transcendental deduction and fact of reason claims may be obscure or even failures, but it is clear enough what he was trying to do and, given his assumptions, why he had to try. Can a developmental account establish that such self-imposed rules and constraints could not conflict with "actuality," because they can be said to constitute the possibility of such actuality, to "give themselves" such actuality? Could a narrative of what we had bound ourselves to and altered end up telling us what actual normative commitments we now have? How would one go about showing this?¹⁸

VI

The question at hand turns on the consequences of reading Hegel's practical philosophy in the light of this sort of systematic ambition, one

¹⁷ Cf. Walsh (1969) on the "dissolution of ethics in sociology" for Hegel, p. 11.

¹⁸ For more on the controversies and the role of the "actualization" claim in the details of Hegel's social and political philosophy, see Pippin (1981b), and Pippin (1979).

wherein the Kantian notion of self-legislation is at the center of everything. As we saw in chapter 2, the first consequence involves the right way to characterize spirit and its independence from nature. In what does the insufficiency of appeals to nature in our explanations and justifications consist, and how might understanding that insufficiency help us understand how spirit gives itself its own actuality, in something like the sense suggested above?

Hegel attempts several different sorts of accounts to explain this insufficiency. In his *The Phenomenology of Spirit*, he tries to show what the satisfaction of natural desire looks like, how it would be experienced, once experienced in a conflict with other like desire-satisfiers, or how such an imagined “struggle to the death” would only be resolved “naturally” by the death of one of the parties and so with the preservation of a natural or animal satisfaction, or by the experience, given such a conflict, of a new sort of desire, a “desire for the other’s desire,” or a claim of entitlement against such a challenge and so a demand for recognition of such entitlement. The emergence of this experience is what cannot be understood as, again, the manifestation of natural dispositions because we must institute what will count as the fulfillment of such a demand. Nothing in nature will so count unless we determine it should. (And so the centrality of self-legislation re-emerges.) There is no particular reason to count some natural fact, like superior courage and strength, as a warrant for such entitlement, unless there are reasons to take account of such properties in this normative way. And, Hegel tries then to show, the offering and accepting of reasons requires eventually a mutuality, some claim to genuine authority and so universal acceptability, something not possible in the original Master–Slave relation or its later manifestations. (The paradox Hegel describes has become a well-known element of his philosophy: the Master is recognized by one whom he does not recognize and so is at an “impasse,” cannot legislate the norm that secures his claim to entitlement, undermines his own mastery just by being such a master.) In later manifestations of this attempt, which Hegel imagines as an attempt to legislate collectively a normative structure that would successfully realize both an individual’s particularity in his or her desires and contingent life history, as well as, universally, a like entitlement for all to such satisfaction, similar sorts of one-sided tensions or unresolvable conflicts are presented in a developmental form, in an attempt to demonstrate greater and greater success in so doing.

In the *Encyclopedia* context, Hegel also claims that at some stage of complexity, human beings cease to be able to understand themselves,

coordinate their activities and account for themselves to each other, by exclusively invoking the explanatory categories of nature (at first, as a hierarchical, teleologically coherent nature; later, as matter, located in space and time and subject to causal law; in both cases as an appeal to a kind of fate or unfreedom or necessity), and must instead explain and hold themselves to account by eventual appeal to practical reasons, justifications, and responsibility inappropriate in the context of nature.

That is, in this *Encyclopedia* context also, we can now see that this limitation is meant to be fundamentally practical and historical, and the thesis is that that sort of claim is philosophically sufficient to answer the questions posed above. At a certain level of organic and especially social complexity the invocation of nature as a reason or warrant, ceases to be appropriate or becomes practically useless for any subject. And so, as Hegel notes in the last paragraph of the *Encyclopedia*, it is "the self-knowing reason which divides *itself* into nature and spirit," and so, described this way, "as *the self-division* of the Idea into both appearances." The question must then concern not our grasp of some real ontological divide, but the reasons for our *instituting* or *constructing* such a normative distinction in our dealings with each other. This means that spirit is a self-imposed norm, a self-legislated realm that we institute and sustain, that exists only by being instituted and sustained.

It is in this sense that the story of the development of subjective, objective, and absolute spirit would be understood as a collective historical achievement, a growing capacity by human beings to understand what is required by collective self-determination (or a decreasing dependence on nature and appeals to nature), to understand better that *that* is what they are doing, and so to expand what can be coherently and collectively regulated and directed by appeal to reasons, justifications, and norms. Spirit, understood this way (that is, by taking full account of the anti-dualism claim and the insistence that development is a self-determining development) is thus not the emergence of a non-natural substance, but reflects only the growing capacity of still naturally situated beings in achieving more and more successfully a form of normative and genuinely autonomous like-mindedness. (The greater realization of freedom is then some sort of better, practically realized, embodied understanding of what our responsiveness to and initiation of practical reasons requires, a claim to superiority justified by the practical failure of more restricted appeals.) Understanding Hegel this way captures best, first, what Hegel actually says about the emergence of spirit, and does justice to his claim that the development of spirit reflects the greater and greater

realization of freedom which, as noted, amounts to something like a better responsiveness to, determination by, reason.

Several passages make very clear that spirit itself for Hegel represents a distinct kind of historical, social achievement, the actual establishment rather than mere organic emergence of freedom, all in line with the interpretation of concept-actualization presented in this chapter.¹⁹ I quote at length from the most decisive of such passages:

Within our consciousness, the position is a wholly familiar one, and if we consider spirit from it, if we raise the general question of what spirit is, it becomes apparent from its position between the two extremes that the question implies the further question of where it comes from and whither it tends. Spirit has its beginnings in nature in general . . . The extreme to which spirit tends is its freedom, its infinity, its being in and for itself. These are the two aspects but if we ask what spirit is, the immediate answer is that it is this motion, this process of proceeding from, of freeing itself from, nature; this is the being, the substance of spirit itself. (PSS, 1:6–7)

Hegel later in this passage invokes the paradoxical expression we have seen before, that spirit is a “product of itself” and that “its actuality consists in the fact that it has made itself what it is” (PSS, 1:6–7).

VII

These passages and the direction of this approach raise numerous questions. But it should at least be somewhat clearer what Hegel meant by claiming that the concept of right could be said to give itself its own actuality. The self-legislating formulations cited above suggest just that. Under the assumption that forms of natural self-understanding become practically inappropriate for the coordination and intelligibility of complex conduct, subjects must begin to institute and in various ways hold themselves to normative constraints and ideals, give its norms actual authority. It is by being instituted and held to that they function as norms at all, are actual. Their normative authority is not an expression of nature, but they function as independent forms of self-regulation.²⁰ However paradoxical it may sound, such notions thus give themselves their own actuality; they constitute the normative domain they regulate. There isn't

¹⁹ On the idea of the sociality of reason itself, see Terry Pinkard's valuable discussion in Pinkard (1994).

²⁰ On spirit as a “negation” of nature and on the role of reason in establishing such a negation, see Pippin (1999).

such a domain which we discover and try to do justice to, any more than there are ideal game rules which we discover and try to approximate. The concept gives itself, over time, as a result of a kind of self-education, its own actuality.²¹ How this is attempted and what counts as success (actualization) and what as failure is the subject of Hegel's books and lectures.

This is in fact the kind of paradox that Hegel flirts with in all those unusual formulations: "spirit is a product of itself"; "spirit is its own result"; "its actuality is only that it has made itself what it is," "spirit is only what it knows itself to be," and so forth. In fact, yet again, this sort of paradoxical formulation is not that far from Kant's foundational move in this whole enterprise, the fateful passage in the *Groundwork* cited in chapter 2 as central to Hegel's project, and worth reminding ourselves of:

The will is not merely subject to the law but is subject to the law in such a way that it must be regarded also as legislating for itself and only on this account as being subject to the law (of which it can regard itself as the author). (AA, 4:431; F, 48)

I have been suggesting that this is the Kantian analog to the idea that a concept can give itself its own actuality. But, as we have seen, in Kant's case the paradox is even deeper. The idea of a subject, prior to there being a binding law, authoring one and then subjecting itself to it is extremely hard to imagine. It always seems that such a subject could not be imagined doing so unless he were already subject to some sort of law, a law that decreed he ought so to subject himself, making the paradox of this notion of self-subjection all the clearer. The lines from this original problem – the logic of moral self-relation, let us say – to the projects of Fichte and Hegel are complex and knotty, if also tightly binding and indispensable. But it should be clear that Hegel is somewhat better off at the outset since he does not believe there is a single form for such a law, and does not try to establish, by an analysis or deduction from the concept of rational being, that we must subject ourselves to just such a law. His developmental approach, or retrospective reconstruction of

²¹ *The Phenomenology of Spirit* is supposed to be the story of this self-education and so a "ladder to the Absolute." The claim is that the collective social and intellectual experiences of European civilizations, especially their experience of profound cultural and political breakdowns, can be understood as a form of progressive self-education about what it is to be a human being. We are in other words learning that we are free and what it means to be free (what the political, aesthetic, and religious implications are of this gradual self-education, and in such a self-consciousness we are just thereby becoming the free subjects we are "implicitly," or "*an sich*." See the discussion in the second half of chapter 8.

what we hold each other to, and how we alter such norms, will raise the question noted above (normativity versus mere historicity), but it makes much clearer than in Kant how we could be said to become, collectively and over time, the “authors” of the ties that bind, without any suggestion of “moments” of norm-institution. (As we noted in chapter 3, the proprieties of opera can obviously be said to be collectively self-legislated over time. They were not discovered, and there was no moment of constitution by fiat.)

However, again, the basic assumption about alternatives is the same in Kant and Hegel, and testifies to the essential modernity of both figures. *Nature is morally disenchanted*; it doesn’t mean anything of relevance to our self-directing lives that we simply have the wants and desires and passions and limitations that we do.²² We alone (collectively, over time) can be responsible for the norms that direct our lives, and so the determination either to constrain or to elect to satisfy those urges. But, contrary to Kant’s hopes, the very idea of rationally directing our lives in this autonomous way will not therewith tell us what to do or allow us to understand why we would be so bound to such an ideal. If more than anything else, we need to know what it would be to be rationally self-directing and in what sense we would subject ourselves to this norm, rather than merely recognize it for what it is, such deductive procedures do not promise much success.

VIII

Confining ourselves to practical norms, then, in what sense can a norm be said to be “actual,” not merely possible? That is, under what conditions can a determinate, action-guiding principle be said to provide a subject with a reason to act? (Such an answer of course would not involve any claim that in such a situation the subject simply would act. People often have very good reasons to do things and do not act, or act contrary to their own, actual reasons.) That a course of action would satisfy an interest, or an element of some prior “motivational set” might obviously provide such a reason, but that approach, for the Kantian tradition, simply pushes the important questions back a few steps. Such a set of

²² This does not of course mean that the status of nature is irrelevant to what Kant calls our “moral destiny.” The issue is how to think comprehensively about the relation between such a destiny and nature, and Kant’s struggles with that issue are apparent in everything from the doctrine of the highest good to the *Critique of Judgment*.

interests and desires could not be appealed to in this sense if such a set seemed to me the product of manipulation, coercion, restricted information, or even mere chance. Both Hegel and Kant insist on a capacity for some separation and evaluation of what I happen to want and desire, for the reason at issue truly to function as a practical reason for *me* to do something.

As is well known, Kant concentrates on an unconditionally binding norm, the very acknowledgment of which gives a subject a reason to act, does determine the will, is actually (*in der Tat*) practical. But he also realizes that such an answer is incomplete since such a subject is not an addressee of such a law as a purely rational being. If the law is to provide *me* with an obligation to act, proper account must be taken of the “me” in question, since my sensible interests, desires for happiness, contingent commitments and ideals, etc. are not somehow external to or just attached to some rational core. They *are* “me.” Taking these into account in providing a fuller case for such actuality leads Kant into some turgid waters. Although he appeals to the fact of reason in general to prove that pure reason is practical (that we cannot practically deny its normative authority) he then goes on to talk also about an “incentive” we must have, as the sensible creatures we also are, to act as we ought. Part of the “acknowledgment of the moral law” being actual, really providing me with a reason, involves a complex experience of sensible pain at the restrictions on satisfaction of my self-love, as well as a great feeling of self-respect just in being able to feel and transcend such pain. Moreover, that sensible satisfaction and the incentive it (respect) provides, while never itself a chief reason to act in a morally appropriate way (as if in order to have such an experience), is nevertheless not treated as marginal by Kant, but as indispensable to the answer to the Hegelian question we are posing (what makes the norm “actual”?). And he does not stop there. Acknowledgment of the law provides me with a reason, creates a rational incentive, only in so far as I also can envisage the ultimate achievement of much more than moral righteousness alone, but rather the achievement of the “highest good,” the achievement of happiness in proportion to moral worth. For *this* to be an element of the law’s actuality, I must then also assume various “Postulates of Practical Reason,” especially that there is a benevolent, just God and an immortal soul. And even this is hardly the end of the story, since the real actuality of the law also requires a complex theory of character, of education, the achievement of a civic commonwealth, and an effective, rational religion.

The exact status of all these considerations, given what appears to be Kant's strict criterion of moral worth, was quite puzzling and frustrating to his successors, especially to Schiller and Hegel, and one can see Hegel's fuller account of actuality as his own response to that puzzlement. On the one hand, all such considerations in Kant appear only to be "helping" elements, useful and motivationally helpful in my being able to do the right thing when called on, helpful in altering my experience of self-love in a way that reduces its *prima facie* motivational power, and not as integral parts of a moral life itself. Yet, in spite of this, Kant also goes to great length to insist that all such elements are necessary for the moral law to provide creatures like us with a full reason to act.

One can understand Hegel's approach in *The Philosophy of Right* as an attempt at a solution to this problem of "actualizability." His substitute, that is, for all these motivational, helping considerations is a more Aristotelian consideration of the original, indispensable role of the ethical community in the formation and very being of individuals. For all the reasons we have discussed, in Hegel as in Kant, I am only subject to laws I in some sense author and subject myself to. But the legislation of such a law does not consist in some paradoxical single moment of election, whereby a noumenal individual elects as a supreme governing principle, either obedience to the moral law as a life policy, or the priority of self-love and its satisfactions. The formation of and self-subjection to such normative constraints is gradual and actually historical.²³ Moreover the considerations relevant to the actuality of such subjection are not secondary and mere matters of motivational assistance. The claims of reason can only be "actual" in a common ethical life, not only because Hegel thinks of the principles themselves as self-legislating and absolutely constituting the normative domain, but because it is only if the formative institutions of that society are themselves rational that I, as their product, can actually experience the claims of others as reasons for me to act or forbear from acting. (This will be the topic of chapter 9.) This involves a specific case for the rationality of the modern family (where individual partners choose each other on the basis of love, and where the end of

²³ The best example of how this is supposed to work is Chapter Six of *The Phenomenology of Spirit*, on "spirit." This is an account of the way in which agents attempt to stand behind, "take" responsibility for, their deeds, an issue that involves at its center the status of the kind of reasons that can be offered when challenged, from the dispute between Antigone and Creon, with a very close, barely "separated" relation between subjects and communal (divided, self-contradictory) ethical life to a claim for radical independence in figures like Diderot's Rameau's Nephew and the stance of romantic irony.

familial nurturing is the eventual independence of the children and departure from the private world for the public domain), of the modern institution of private property, and a representative state, and it involves the right acknowledgment, as reflected in the social institutions themselves (like law) of moral notions of individual responsibility, and abstract right notions of entitlement. It also involves a defensible historical narrative accounting properly for the role appeals to freedom have begun to play in modernity. That is a tall order. But since we do not face normative claims as singular, unattached, noumenal beings, capable of acting as uncaused causes, but as subjects located in historical time (as modern subjects) in non-detachable social and ethical relations to others, of various kinds, such an approach to the problem of the realization of the supreme modern norm, freedom, for all its difficulties, is, I would suggest, much to be preferred.

I turn next to the implications of these views about the status of spirit, the self-authorizing character of rational norms, and the implications of the claims about “actuality” in Hegel’s most concentrated discussion of the basic issues in his practical philosophy, his *The Philosophy of Right*.

PART II

Freedom

The freedom of the will: psychological dimensions

I

Hegel's idea is that freedom does not involve being the center of causal agency, nor in merely being free from external constraints in satisfying what we happen to want, nor in conforming to or realizing the essence of human being as a distinct species, nor in being the vehicle for the self-realization of Cosmic spirit. This raises the stakes for him in coming up with a clear positive answer to the question because he certainly also thinks that everything of value in human life depends on actualizing freedom adequately. He thinks this because he believes that any value that gives my life meaning, secures a guiding commitment that can be sustained over time, makes possible genuinely "leading a life," presupposes a Rousseauian point that Hegel fully accepts: that nothing can be a genuine value *for* me unless it can be a value *to* me; in his terms, unless I can recognize myself in what is proposed as a good for me, and that means: unless I am free. And he accepts a Kantian point that such identification or non-alienation requires a certain sort of responsiveness to reason; what sort being the central question. Being able to "stand behind" a deed with justificatory reasons is how I can claim the deed as my own or "own up to it."¹ At the philosophical level, the status of such values (the theory of normativity that underlies the claim that they are values) is a self-legislative one although, contrary to Kant, this legislation is regarded by Hegel as collective, ongoing over time, and subject to periodic, basic breakdowns, moments when a normative crisis occurs and basic values begin to lose their grip on participants, requiring a re-orientation in communal norms.

¹ One needs to stress immediately something that we shall see in much greater detail: that this requirement does not mean something like "having *philosophically* adequate reasons," of the sort that could answer rigorous skepticism.

Each of these claims is worthy of at least a book-length assessment. They all also depend on another sweeping claim: the notion of spirit as a collectively achieved form of normative mindedness, the claim that spirit is nothing but ways of actively holding each other to account by the demanding and giving of reasons for beliefs and actions in a social community, that these achievements have both internal dimensions and historical manifestations that can be understood in a developmental way, one form requiring another, one manifestation requiring a further development (hence the claim about a learning process or *Bildung*). And all of these theses are said to lead to the overall suggestion – still just a suggestion at this point – that a certain self- and other-relational state best captures what it would be to be normatively responsive in ways consistent with the free or self-legislative character of such normativity (where “best” means best captures what it would be to be able to identify my (our) deeds and practices as my (our) own, better than a causal agency, compatibilist or intellectualist theory).

In Hegel’s view, all of these claims are defensible only within a systematic or holistic, encyclopedic account. This is his most ambitious claim yet. When viewed in terms of the history of philosophy, it amounts to the claim that none of the fundamental positions in the history of Western philosophy are simply in error or mistaken but are all only partial views of “the truth,” where the truth itself is not an independent substantive position but the right synoptic view of all possible positions explained in terms of their partiality and interconnection. There is something attractive in this “each is right in its own way” philosophical cosmopolitanism, but it is unlikely that any amount of philosophical reconstruction can mount a successful contemporary defense of such systematic ambitions. Insights into local sorts of partiality and unexpected interconnections among what seem antinomial alternatives are the best one can hope for.

I have tried so far to argue that the above summation best reflects what Hegel said in his own language about freedom and agency, and that it is more philosophically promising than the confabulations of voluntarist theories or the concessions and compromises with naturalism of the traditional compatibilist. But it is time also to hear about details closer to the ground than one gets in a general theory of normative authority or an ontological theory about the kind of being responsive to such normative claims. That means now more details about what this self-relational state involves, as well as what this other-relational state is supposed to be. For the former, I have concentrated on the densest account of his theory, the

Introduction to *The Philosophy of Right*; for the latter, to be discussed in chapter 6, there is an equally rich Hegelian set of passages, focused more on the social dimensions of agency than the institutional details provided in *The Philosophy of Right*. This is the discussion in Chapter Five of the *Jena Phenomenology*.² That chapter will then lead us into the broadest dimensions of Hegel's actual theory of sociality, with the theory of recognitive status at its core.

An aside before beginning. The speculative language within which the fundamental claims of *The Philosophy of Right* are introduced have prompted a number of understandable strategies. The most understandable is the most prominent in Anglophone commentaries: to ignore such speculative dimensions. After all, the terms used both in the Introduction and in the three main parts of the work are not *all* technical terms of systematic art. Whatever the ultimate goal, along the way Hegel is clearly making recognizable philosophical claims about justice, the nature of law and responsibility and punishment, the new social relations now characteristic of modern Western societies (civil society), the character of a modern state, the nature of sovereignty, and so forth. Some of the most influential and powerful claims in *The Philosophy of Right*, it would certainly seem, can be economically discussed as matters of political theory alone, claims like: the modern state cannot be understood as an administrative extension of civil society but presupposes a *distinct* and new sort of ethical bond among citizens; that instrumentalist and contractarian versions of that bond cannot succeed; that this unique bond must be realized in an actual even if mostly ceremonial subject (a constitutional monarch); or even such very sweeping claims as: the greater sufficiency of a social ethics when compared with the post-Christian "individual-conscience" or moral point of view.

Those philosophers suspicious of the systematic flourishes with which Hegel begins *The Philosophy of Right*, but interested in writing about Hegel philosophically, not just historically, have produced a wide range of helpful commentaries. A general comment on such an approach will have to suffice here. The most interesting results thereby produced have, I think, been critical or negative. Hegel, read fairly austere as a traditional political theorist, can indeed raise a number of compelling objections

² I discuss in chapter 7 the well-known "developmental" claim; i.e. that the "early" or Jena Hegel held positions (especially claims about the genuinely intersubjective status of normative authority) which the later Hegel of *The Philosophy of Right* had abandoned. I argue that this is not so of the issue at the heart of his theory, the account of freedom in its subjective, intersubjective and objective (or institutional) dimensions.

about the sufficiency of the liberal and moral conception of modern ethical life, and can provide a “penetrating analysis of the human predicament in modern society.”³ (For example, together with Rousseau, he helped identify the complex problem of “alienation” and explained why it was a problem for liberal theory.) More theoretically, Hegel showed to the satisfaction of many commentators that no rational egoist or moral-individualist starting point will ever get us any justification of the social and political culture indispensable for any sort of individually righteous, fulfilling, and secure life.

But these results, I have been suggesting, must remain wholly negative without some appreciation of the radicality with which Hegel is attempting to transform the categories of political life itself; the way, fundamentally, we must think about ourselves as free and rational agents and about our collective lives. Without some attempt to understand this speculative reformulation of the basic issues presupposed in political life, his full case against liberal individualism, and conscience and duty-based moralism (as opposed to interesting ad hoc arguments against particular claims) cannot be defended, and, especially, the implications of that critique for the possibility of a just, modern, secular, free society and constitutional regime cannot be drawn.⁴ (It is otherwise always open to a liberal theorist to concede many of the weaknesses and uncertainties pointed out by the Hegelian, but simply to insist that a claim to rights protection and/or a general, egoistically motivated, rationally structured welfarism, however flimsy, are all we moderns can rationally rely on in making claims on each other. We’ll just have to learn to live with the uncertainties and insufficiencies of “negative liberty,” etc.) These latter Hegelian implications, on the contrary, depend on being able to understand and defend Hegel’s claims about spirit, freedom, and the actualization of individual free spirit within (and only within) a distinct modern totality or whole, all in the distinct speculative way he understands such a spiritual totality, or, as he calls it, ethical life (*Sittlichkeit*).

However, this brings us to a familiar dilemma. Keeping faith with these speculative aspirations apparent throughout the Introduction would seem capable of producing, at best, only an internally consistent or historically accurate but not a philosophically interesting result. If we really

³ From Allen Wood’s “Introduction” to *The Philosophy of Right* (PR, xxvii).

⁴ For an example of how much of great value can be said about Hegel’s ethics, even on the assumption that I am disputing here (that his speculative project is a failure and largely irrelevant), see Wood (1990). See also my review, Pippin (1993b).

need a full understanding of Hegel's speculative theory of the concept and conceptual determination to understand, say, how individual freedom can be realized in the universal order of the state rather than sacrificed to it, or to understand the freedom of the will itself as "the self-reference of negativity," we appear headed into a dangerous and mysterious forest, from which few have returned speaking a language anyone else can understand.⁵ If we engage in a rational reconstruction with too much pruning and narrowing of focus, the overall shape of Hegel's account and its broadest ambitions will not come into view. The preceding treatment of Hegel's systematic philosophy as a theory of rational normativity has been truncated and sketchy, but my hope now is that it will give us enough purchase on the terminology invoked in *The Philosophy of Right* so that we can appreciate his most important discussion in that work – his account of the freedom of the will.

II

The basic claim in the Introduction concerns the nature of freedom. Hegel suggests that *The Philosophy of Right* will establish that, once we understand freedom concretely, in its actuality (and not merely in its negative form – as a capacity to resist inclinations and desires, to withdraw from and stand above sensible impulses, even the "infinite" freedom not to act at all – all of which he thinks the merest faint shadow of true freedom) we shall understand why only an ethical being (*sittliches Wesen*), a rights-bearing, morally responsible member of modern ethical life and the modern state, can be free.⁶ As we have seen throughout, Hegel appears to intend not only to give an answer to the question: under what social and political conditions can someone be said to possess freedom to act? He means that there are social and political conditions that are necessary for the possibility of freedom (for "freedom of the will," not just "freedom to act"). Hegel, as he concludes the discussion in §33, proposes to show how and why "the development of the Idea of the will which is free in and for itself" must be understood "in stages," the stages that correspond to these social institutions, the sphere of abstract or formal right, of morality and, most comprehensively, of ethical life (RP, 87; PR, 62). This developmental account corresponds to the strategy described in

⁵ Cf. Ottmann (1982) and Henrich (1982), especially p. 444.

⁶ What Hegel calls a *sittliches Wesen* has much in common with what has come to be called (after Margaret Gilbert 1989) a "plural subject." See also Laden (2005).

chapter 4. The actualization of a certain minimal claim to normative authority will be shown to require – to require practically, from within the viewpoint of someone making such a claim for legitimacy and authority – a broader claim than was originally intended but can be shown to be presupposed by the original (in this text a socially more expansive claim) just in order that the original can be consistently asserted.

There is nothing mysterious about the form of such a putatively “self-correcting” or “dialectical” procedure. For example, it closely resembles Hobbes’ basic argument. In the state of nature, the attempt by each to realize the most devoutly wished goal – security, freedom from the fear of sudden, violent death – actually can be imagined to result in a situation most inimical to that goal, the war of all against all, and requires, just for the rational realization of the original goal, the “negation” of the immediately rational response (the war of all against all and pre-emptive violence), or the mutual laying down of arms and the creation of the Leviathan. This claim is demonstrated or argued for by this idealized picture of development (as do most arguments that proceed by this developmental picture of the *exeundum e statu naturae*, the exit from the state of nature).⁷ And the point can be put in Hegel’s unusual language of “self-negation.” Human beings in such a state do not just innately or instinctively begin to connive and murder. They do such things for reasons, in view of some calculation of the danger they are in. They “negate” the given situation and thereby also “negate” this negation, they have to cancel in some way the situation they have created and they do

⁷ There are a number of other links of great importance between Hegel and Hobbes, although because Hegel makes so central, in his theory of possible self-consciousness, a violent struggle to the death for recognition, the martial aspects have occupied the commentators. Two issues are of greatest importance. One could say first that comparison with Hobbes reveals a common link with a major assumption of an important strand in modern liberalism: the “state of nature” is practically (or one could say, in terms of practical intelligibility) impossible. It dialectically requires its own overcoming, or requires for the solution of a problem various means that make the problem worse. The artificial body of the state does not then represent the cultivation of human nature but its overcoming. (None of this has anything to do with whether human beings in the state of nature should be said to be naturally good or evil.) Secondly, for both thinkers human being is originally “free,” one is not obligated just *qua* human, or is not just *qua* human “in sin”; one is originally without obligation, and so all obligation might be understood as self-imposed. Given the first point, this means that the central question is the extent to which *Bildung*, understood as collective self-cultivation, can create an order sufficiently “distant” from any reflection of the original or natural situation which one has no choice but to try to “negate.” Hobbes of course has a narrow view of the possibilities of such cultivation. Hegel’s view is more capacious, but has its limits, as in his views on the civil society–state distinction and on war. There is a valuable discussion along these lines in Strauss (2006).

this by creating the Leviathan. Someone like Locke might go on to say that this too must be “self-negated” because we have merely swapped uncertainty about what others will do for uncertainty about what the sovereign will do. Our solution itself requires a new solution.

We have already seen several implications of this treatment of spirit for the issue of the freedom of the will. It is only by recalling Hegel’s systematic understanding of spirit, and especially his account of the relation between what he calls subjective and objective spirit, that his account of the nature of free will can be understood. This account, we have seen, is not the voluntarist, libertarian, or incompatibilist theory sometimes suggested by the very invocation of “free will,” and understanding this position will help make clearer the foundational claims made in §§4, 5, 6, and 7, the logical or conceptual basis for the whole argument that only as an ethical being can a spiritual being be free.⁸

III

What differences will it then make if Hegel is treating the foundational problem of spirit in a way that does not treat spirit as a thing at all, either material or immaterial, but as a self-conscious and socially sustained normative status, required within any full account of the mind’s capacity to give accounts at all? It ought to make a great difference for what can be identified as the four basic issues introduced in these paragraphs in *The Philosophy of Right*. These are (a) the assertions about the relation between theoretical and practical spirit, especially as these illuminate Hegel’s account of the will; (b) the claim about the two moments of the

⁸ By “voluntarist” I mean to refer very generally to the philosophical notions associated earliest with Augustine and Aquinas and important in Kant (though prominent already in the writings of St. Paul), wherein some intellectual apprehension of an objective good, or what is believed to be a happiness-producing situation, is differentiated from the realm of desires, felt inclinations, and aversions largely resulting from experiences of pleasures and pains or imagined pleasures and pains and inclining us to act independently of (though not necessarily contrary to) rational beliefs. Within this differentiation desires might be said to be trained by reason but, it is argued, such beliefs and desires alone cannot fully account for human action; we also need to invoke a distinct faculty, the will. Otherwise, as in Paul’s famous self-reproach (“I do the very thing I hate”), we could not account for the situation where I recognize what would be good for me, desire what is good for me, but do not act (or recognize what is bad for me, a sin, say, hate it deeply, but “choose” to do it anyway). I must presumably also “will” to do what I believe I ought and desire to. I must have what Aquinas called a “rational desire,” even in cases where I choose the bad, am not overcome by passions or simply mistaken. (The question of whether Aquinas himself really has the notion of a will needed by Christian apologetics, and especially by Augustine’s theodicy, or whether he remains too intellectualist and Greek, is a complex one, explored at length in a very helpful article by Terence Irwin (1992).)

will and their relation in §§5, 6, and 7; (c) the summary definition of freedom in §23 (freedom as “being with self”); and (d) the implications of this account for the whole argument of the book.

When Hegel’s account turns to fully self-determining and not just self-maintaining and internally purposive beings, or the realm of spirit proper, the most generic name for such a realm could simply be “the normative,” a class of activities characterized by purposive attempts that can succeed or fail. In other words, some organic beings are self-maintaining and self-directing (and so outside the realm appropriate for a philosophy of nature) not only by being a kind of organic whole or by requiring purposive explanations, but because those purposes provide reasons *for* such beings and they provide such reasons by being believed to be dispositive about what ought to be done. (Animals of course act rationally as well, and so can be said to respond to reasons (as when they detect danger and flee) but they cannot be said to respond to reasons as such.⁹ More on this below.) Some of these self-determined (or normatively self-constrained) activities are barely or only potentially self-determined, functions of habits and conventions, and national or ethnic characteristics, almost instinctual (properties of what Hegel calls “the soul” (*die Seele*), treated by *Anthropologie*); some are based on representations plagued by possible skeptical doubts about their objects (consciousness (*Bewußtsein*), treated by the *Phenomenology*); some are attempts to get it right in a *wholly* self-conscious and in Hegel’s terms, ultimately “infinitely” self-determining way (spirit proper, treated by *Psychology*). The question of freedom in each such discussion thus can be said to turn on a certain mode of self-representation and self-understanding, and it is this mode and its characteristics in actions, and not the question of whether such representations cause anything, that is of interest to Hegel.

Thus, when Hegel is trying to explain in the Addition to §4 why animals do not act freely, he does not mention any question about soul or metaphysical status, or voluntary action:

The animal acts by instinct, it is impelled by something inward and is therefore also practical; but it has no will, *because it does not represent to itself what it desires*. (RP, 47; PR, 36, my emphasis)

While Hegel does not appear to mean that a dog is not in any sense aware that it is seeking water when it is thirsty, he does seem to mean that an

⁹ This is the formulation used by John McDowell in several recent lectures, as yet unpublished.

animal does not represent an end as a *possibility*, an object of desire that could possibly be pursued or not, or is never in a position to deliberate on a normative basis or to come to understand why one course of action is superior to another. He never acts “on” or in the light of a representation of a possibility.¹⁰ It is important to see that Hegel does not claim that animals are different in some substantive way, and he does not deny that they “act,” does not deny that they are in some sense responsive to practical reason. Such responsiveness is just not “for itself.”

We can see how he understands this claim by noting that this paragraph (§4) also sets out Hegel’s broadest account of what he considers “the will” and thus how he understands the problem of “the freedom of the will.” He makes clear that he is quite opposed to the most widespread understanding, typical of what he calls the “older empirical psychology,” which bases its understanding of the will on the subjective sense that nothing will happen until I resolve to act, understood as something like engaging the gears of action and propelling oneself forward into action. He notes that this conception is also ordinarily defended by appeal to the necessity of this “could have done otherwise” sense of a causal power in order to explain the ordinary notions of “guilt, remorse, and the like,” which all seem to rest on the notion that an act would not have occurred or could have occurred otherwise had I simply “decided” not to exercise this power or had resolved to exercise it otherwise.

To show how and why he disagrees with this notion, Hegel has to sketch out his understanding of the relation between “the theoretical” stance of subject toward world and “the practical” relation between agent and world:

The distinction between thought and will is simply that between theoretical and practical attitudes. But they are not two separate faculties; on the contrary, the will is a particular way of thinking – thinking translating itself into existence – thinking as the drive to give itself existence. (RP, 46–47; PR, 35)¹¹

The key claim here is that the “will is a *particular way of thinking*” and that that particular way is thinking understood as “translating itself into existence” (*als sich übersetzend ins Dasein*). The latter gloss (on a way of thinking) indicates that Hegel is not making the obvious point that for

¹⁰ The ancestor of such a differentiation is obviously Kant’s in *Glauben and Wissen*; that all other creatures act “according to law,” but the human animal acts “according to the concept (or ‘representation’) of law.”

¹¹ The crucial passage in the *Encyclopedia* linking *Intelligenz* and *Wille* is §468. See the helpful commentaries by Peperzack (1987a), pp. 45 ff. and Peperzack (1991). See also Inwood (1982), p. 145.

something to count as a willing of mine, I must execute my intention consciously (that the act must be intentional under some description). The will is not merely *accompanied* by thinking as a form of consciousness; it *is* a distinct form of thinking and that form is called “translating into existence.” We have come across this way of formulating the matter before: that an action should be understood as the public expression (or translation) of a subject’s provisional take on what is being undertaken, some movement “from inner to outer”, which in Hegel’s full story interprets outer expression as a manifestation that preserves “identity” with the inner. (This unusual way of talking is the subject of chapter 6.) The emphasis on the will as a form of thinking at least makes clear how far Hegel is from a causal power theory. He seems to be saying that the right way to understand the subject’s basic relation to her deeds (with respect to the problem of and the degrees of freedom) is a matter primarily of *comprehension* or an *experiential understanding*, and not at all the experience of a power successfully executed. He also stresses that in theoretical thinking, my relation to the object of my thought is “mediated” in some way, whereas in practical thinking, I just “posit myself” (“unmediated,” one would have to say) in an initial opposition to the world. One way of understanding what Hegel means here by “mediated” is that theoretical knowledge is observational or inferential and “practical knowledge,” knowledge of what I am about and why, is not observational or inferential. Its “negative” relation to the world is thus of a different form than the theoretical, even though primarily still a matter of what Hegel broadly calls “intelligence.”¹² The basic way in which a result of what I do could be causally my product but not anything wherein I recognize myself (not my deed) is a matter of not being able to “think” the deed in a way that could accomplish this identification, to understand what was done or why I undertook to perform the action. The impediments to claiming it as my own would be apparent in such situations as: I take myself to be undertaking *A*, but everyone else takes me to be doing *B*. Or I take myself to be acting on intention *X*, but in the course of things what I end up doing cannot be coherently understood as a “translation” of this intention *X*, because my actions show (even to me) that I am really after a different goal, had and have an intention I do not acknowledge to myself. If the external manifestation of something subjective should be understood as an interpretation and expression, then *both* the agent and the others whom the action affects must do what such

¹² Cf. Anscombe (2000), §8 and §28.

an expression always requires: interpret it, settle on its meaning and value. Such an understanding can perform this function (connect me with the deed) only if it is successfully normative or justificatory. (Action explanations are rationalizing. I understand what you are doing by trying to understand what you think you are up to and I understand that by trying to understand the reasons that would have led you so to act.) So in situations of coercion, for example, where I could be said in *some* sense to understand exactly why I am doing just this (in order to avoid being shot, say), and so “have reasons” to do it in a general sense (and so what I am doing is still strictly speaking an action of mine, not something that happens to me, even if not “fully” my own), Hegel’s point is that I have no reason *of my own* to \emptyset , have not adopted, do not identify with, the reasons my oppressor has for forcing me to \emptyset , and so have merely become his instrument. They are his reasons, not mine. Even though I understand that his reasons and his coercive power give me reasons to act, they are not reasons I identify with (perhaps as a “second-order” desire, as Frankfurt famously has it).¹³ There can even be cases of such alienation where I am consciously executing an intention under some act-description and find surprisingly that, given what I am and am not willing to do, or given the reaction of others to the deed and any proffered justification, I actually do *not* understand just what it is I am doing or exactly why I am undertaking it.

And this picture also opens up the possibility of subjectively counting a deed as mine, appearing to see myself in it, even while objectively the institutional norms on the basis of which it is understood and is justified to me and to the parties whom the action effects cannot objectively count as justifying the deed.¹⁴ Such a normative framework can only be said to give me provisional and not fully coherent reasons, even if subjectively satisfying. Hegel must work this out by specifying the nature of the social dependence that conditions any action, and the nature of the objective or institutional rationality that his account requires. I discuss his answer to the former in chapters 6, 7 and 8, and the last in chapter 9.

So “unfreedom” in general in this section is understood as a phenomenon that can be common to both the theoretical and practical attitude. Theoretically, it is the phenomenon of confronting what seems alien, what “resists me” by not being intelligible. “Overcoming” such separation

¹³ Frankfurt (1971).

¹⁴ For a helpful discussion of the relationship between the subjective and objective dimensions, and especially the various possibilities Hegel must consider, see Hardimon (1994).

is a matter of simply rendering intelligible what at first was not. "The 'I' is at home in the world [*in der Welt zu Hause*] when it knows [*kennt*] the world, and even more so when it has comprehended [*begriffen*] it" (RP, 47; PR, 36). In the practical attitude, on the other hand, merely by attempting to act, I "posit a difference," or attempt to change some pre-action state of affairs. Even if I cannot completely transform the world and others into what I think ought to be, I can still experience my results (if the action can count as free) as mine because they can be said to "bear the trace of my spirit [*sie tragen die Spur meines Geistes*]" (RP, 47; PR, 36).

In a sense this is Hegel's version of the well-known "direction of fit" differentiation between practical and theoretical reason;¹⁵ only "in a sense" because, as Hegel's formulations already begin to suggest, he is also interested in what such practical and theoretical subject-world attitudes have in common. The fact that he thinks of both theoretical activities and practical attitudes as a manifestation of and as a way of aspiring to freedom already shows this. When he claims that to live freely in the world amounts to not feeling estranged from it, to being "at home" in it, and that this can be partly achieved by a form of understanding or by comprehending the world, he is not suggesting that I can come to understand that there is really no difference between me and what appears "other" to me, that we are both, say, manifestations of Cosmic spirit. As noted before, he is echoing the beginning moment of Western rationalism, the assumption that in principle all that is is intelligible. (This is obviously an extraordinary claim and has a number of immediate implications for the way we ought to understand, say, religion or poetry. Most obviously, Hegel does not think there is anything like the outer boundary of the conceptually intelligible, beyond which there is merely faith or extra-conceptual ways of saying, or pointing at, "what cannot be said.") This leaves a lot to be said about what counts as a satisfying form of intelligibility, but Hegel is certainly not excluding such "moments" as natural scientific explanations, but rather trying to account for the coherence and compatibility of such accounts with other indispensable modes of accounting in some overall perspective on what the practice or activity of rendering intelligible amounts to. This then leads him to his version of Kant's priority of the practical thesis.

¹⁵ Attributed often to Anscombe (2000), although she never formulates it in exactly these terms (see §32).

For he asserts not only that the will should be understood as a “particular way of thinking,” but that “the theoretical is essentially contained within the practical,” that “the will contains the theoretical within itself,” and that

It is equally impossible to adopt a theoretical attitude or to think [*theoretisch verhalten oder denken*] without a will, for in thinking we are necessarily active [*tätig*]. The content of what is thought certainly takes on the form of being, but this being is something mediated, something posited by our activity. (RP, 48; PR, 36)

IV

I have interpreted such claims to refer to the normative self-regulation of thought, or an insistence on the autonomy of, the irreducibility of, the normative domain. In Hegel’s version of this claim, due essentially to Kant and radicalized by Fichte, we get none of the self-initiating or self-causing language of these two, because Hegel denies any such first moment, instead regarding spirit as always already “self-realizing” in time, self-authorizing or self-legislating in a way that always relies on and is oriented by the practices and proprieties already authoritative at a time. (This is why Hegel’s idealism is not a matter of the priority of “subject” over “substance” but the equiprimordiality of what had become a fixed point of reference for spirit, its achieved substantiality, and the unavoidable requirement that subjects take up and render self-conscious the basis of such authority, that they “make it actual.”) This version of the priority of the practical touches on the deepest theme in German Idealism – the priority of “act” over “being” as it is put in that tradition and its European commentators.¹⁶ But in this context we need note only that the inclusion of the practical within the theoretical refers both to this self-legislation theme (and not to a world-creating metaphysics or the world-devouring absolute subjectivity attributed to Hegel by critics like Adorno), as well as highlights the fact that Hegel is as much interested in the significance of the “urge” [*Drang*] for knowledge (a meaning he wants to connect to the large problematic of freedom) as he is interested in the dependence of the practical on the theoretical or on thinking. This again makes clear how Hegel is trying to shift the “problem” of the will from the problem of causal power to an interpretive and reconciliationist project.

¹⁶ For a good discussion of the issue, couched in these terms, see Fischbach (2002).

A larger picture of this link between theoretical and practical attitudes is given in the *Encyclopedia* discussion of spirit at §443. His account there makes clear how important it is for him to link the themes of objective being (*das Seiende*) and what has been made mine (*das Seinige*) in both the theoretical and practical contexts. What he is trying to say has his typically dialectical ring: in effect that in the theoretical attitude, we attempt to “make” the objective subjective; and in the practical attitude, we attempt to make the subjective objective, all such that freedom, the true realization of spirit, requires the appropriate sort of mediated subjective–objective relation. As we shall see, this latter involves a doubled “objectivity”; it involves both a form of institutional realization and intersubjective reconciliation. (Both together count as the objectivity in question in the practical domain.) And as throughout his discussion, both forms of reconciliation (or mediated identity) are said to be made possible because spirit’s products are produced according to “determinations of reason” [*Vernunftbestimmungen*] and the formulations again call for some non-metaphorical way of understanding what counts as success in such attempts and more detail about the role of reason. (In the Addition, Hegel notes that “Both modes of mindedness are forms of reason” [*Beide Weisen des Geistes sind Formen der Vernunft*] (PSS, 3:92–97, Petry’s translation altered).)

Now at least the general direction suggested by these remarks appears to be what could be called an intellectualist notion of freedom, as one might find in Socrates or, in a very different way, in Spinoza, where for both freedom is also understood as a kind of knowledge or self-consciousness: what I understand myself to be doing and especially why is the key issue in whether I am free. The truly free man in the Socratic or Stoic account is simply he who knows the good; you are free if you do know it, even if actually in chains, you are not free if you do not, even if an all-powerful tyrant; the worst form of slavery is ignorance, etc. The problem of possible *action* under such a condition (whether and if so how such considerations could count as reasons to act) is taken to be unproblematic, since all persons unavoidably desire the good or their own happiness; to know it (really know it) is to seek it. The unfree are simply those who are ignorant about the objective human good. Those who do know it cannot but act to satisfy their (and the universal) desire for the happiness that comes with the actualization of the human good.

But Hegel explicitly excludes such a conception of freedom in §482 of the *Encyclopedia*, so that cannot be the right gloss on this passage. To

make matters more confusing, he also extols the Christian understanding of freedom, or at least extols his version of what is important about the Christian view (which has nothing, oddly, to do with the Augustinian problem, or with the will, as it is understood in voluntarism). It is a passage we have seen before:

The Greeks and Romans, Plato and Aristotle, even the Stoics, did not have it [the full account of freedom]. On the contrary, they saw that it is only by birth (as, for example, an Athenian or Spartan citizen), or by strength of character, education, or philosophy (the sage is free even as a slave and in chains) that the human being is actually free. It was through Christianity that this Idea came into the world. According to Christianity, the individual as such has an infinite value as the object and aim of divine love, destined as mind to live in absolute relationship with God himself, and have God's mind dwelling in him: i.e. man is implicitly destined to supreme freedom. (EPG, 302; PM, 239–240)

One is not free, so this account implies, just by *being* in the right relation to the good or by the possession of the knowledge of the good. Action is a matter of my being moved to act, and this requires, not that I be moved *qua* human being by a general desire for “the” human good, but that whatever reason for action some cognition might provide, it must be a reason *for me*, and not just generally “for anyone.” For one thing, this means that the considerations that seem actionable must, if they are to move me to act, make sense as part of the fabric of the particular life I lead. It is of course possible that one lives in the sort of society, has been brought up in a certain way, such that what one might want to count as objectively good for anyone at all has come to play that role in the fine structure of a social world, but that has to be shown, established.

When we stress this dimension of Hegel's account, it might seem as we are thereby tilting quite a bit in an anti-intellectualist or even Humean position, where the irreducible singularity of one's desires, the uniqueness of the good-for-me, would consign reason to being the slave of the particular passions I happen to have, and all action would be ultimately motivated by pre-reflective or reflectively inaccessible motivations, perhaps particular anticipations of pleasure or aversions to pain. But true to form, Hegel also rejects such a fixed dualism by stressing that these categories of theoretical and practical spirit are far too provisional and flexible to allow such a strong opposition. The whole point of the Introduction is to argue that freedom cannot be successfully understood as either the successful strategic satisfaction of wants, nor as a merely intellectual understanding of my life and its relation to the good.

That is, the picture of being simply assailed by unmotivated desires and seeking only to satisfy them, is as false as is the picture of the pure contemplator-of-the-good, necessarily and unavoidably moved to act by such contemplation alone. The latter is distorted because, as the above passage stresses, it is unjust to my individuality as a seeker of the good as well as to the historically particular version of the good available to a community at a time, and so I must be able to have some view of the necessary relation of some perceived good to me and to my particular life. (Without this connection or account of “mediation,” Hegel implies in several places, the motivational power of such considerations would be inexplicable.) The former is distorted because the intellectualist is partly right: I am not simply a complex of contingent desires seeking satisfaction. I can stand above them and evaluate, rank them, pick and choose which ones are *worth* satisfying. This evaluation, however strong though,¹⁷ does not return us to an intellectualist position (ranking desires by reference to an objective scale for everyone) because the *evaluation* cannot be objectivist and impersonal in the classical sense if it is to be motivating for me, and it must do justice to how and why any perceived objective good would be a good for and chosen by me, then and there.

v

This latter thought is connected to Hegel's insistence throughout the Introduction that the goal of a free life should be understood as something like a wholly self-sufficient life, one in which nothing from outside, nothing *not-me*, determines my actions. (It is in this sense that I can come to see my actions as mine.) This can sound as if he means that this is a question of self-causation rather than outside causation (something like Spinoza's position), but again we have to remember that he has explicitly excluded the option of treating the question of spirit and freedom as a question of causation. He explains that something “becomes part of me” by virtue of the way it is taken up and understood, and even internally causal factors motivating my behavior are not part of me just because internal, if they cannot be fitted into an overall understanding of who I am (see the claim in §23, cited below).¹⁸

¹⁷ In Charles Taylor's terms (Taylor 1985c).

¹⁸ The same sort of mistake about how to understand what is “I” and “not-I” is often made in interpreting Fichte. See Pippin (2000c).

Thus I can be said to be freely writing this book, its production would be really mine, even if I am in various ways responding to external contingencies and influences not of my own making, if the sense or significance of those influences is a feature of a general institutional and social practices which are themselves capable of being understood by me as practices and institutions “without which I could not be me.” This is already a mouthful and seems quite a high and abstract standard. Hegel insists that *this* is so (and so I act freely) if those practices are and are understood to be, “rational,” if I effectively count myself as “one among many” (no exemption just for me; no irrational special status) as well as a distinct one among many. The form of *this* understanding or daily experience need not of course be fully theoretical or even propositional, any more than various views I hold about myself and my society must be always and everywhere theoretical and propositional.

In §5 Hegel characterizes the independence of the subject in relation to its desires as,

the element of pure indeterminacy or of the “I’s” pure reflection into itself, in which every limitation, every content, whether present immediately through nature, through needs, desires and drives, or given and determined in some other way, is dissolved; this is the limitless infinity of absolute abstraction or universality, the pure thinking of oneself. (RP, 49; PR, 37)

But he immediately cautions that this picture of an abstractly free will as something like the strength of some independent faculty to exempt oneself from the influences of inclinations presents, if considered in such isolation, a distorted picture of action. Such attempted “limitless infinity” never *itself* occurs unmotivated, as some isolated act of pure will, and if such an abstract intention were executed, we would get only an abstract, negative, even all-destroying insistence on pure freedom, the freedom of the Terror, or “the fury of destruction.” There would be nothing to do but to struggle “*not* to be determined” by anything. The *way* in which various inclinations and aversions are put temporarily out of play, while manifesting what Hegel refers to as an “infinity,” the term he often uses for a complete self-authorization and so self-determination, gives us only a partial picture because such a deliberative suspension is *itself* always a manifestation of a finite position as well, always institutionally and historically bound, never as abstract and complete as this first picture presents it. (As we shall see, Hegel wants to understand the public deed as “flowing from,” or the unfolding over time of, some formulated intention, and he also wants to understand the reflective formulation of such

an intention to be itself the unfolding of dispositions and evaluative norms, which are themselves the expression in individual mindedness of commonly held norms.)

The idea, then, is not to act in some way simply exempt from inclinations, in the service of some view of the good, perfectibility or the moral law. The idea of freedom is also to be understood in terms of the concrete way I both put out of play momentarily and take up and attempt to execute my inclinations:

Through this positing of itself as something determinate, "I" steps into existence in general – the absolute moment of the finitude or particularization of the "I." (RP, 52; PR, 39)

This "way of taking up and satisfying" is not, given the importance of the first moment, merely strategically rational; it is some sort of a reflection about inclinations and desires themselves (which sort of institution-bound, "concretely ethical" reflection being the central question in Hegel's *The Philosophy of Right*). In the sort of reflection that leads to a concrete self-determination, Hegel claims that "the drives, desires, and inclinations by which the will finds itself naturally determined" must all be given "*the form of rationality*" (rather than "given up" in the name of rationality), and that so giving them this form makes them finally "mine," and this process of rationalization is said, in the Addition to §15, to involve acting "in accordance with the concepts of ethics in general." ("When I will what is rational, I act not as a particular individual, but in accordance with the concepts of ethics in general; in an ethical act I vindicate not myself but what is at issue [*die Sache*]" (RP, 67; PR, 49).)

This is important to stress: the notion of giving the content of my motivational inclinations a rational form, and so becoming the true subject of such a set, does not mean, for the issues involved in "objective spirit," an individual holding any such possible end or intention up to some putatively objective rational standard of intrinsic value, or testing it as a possible universal law or reflectively realizing my nature or essence, but it means reflecting on the form or structure such that the manner of that satisfaction will be a reflection of one's "ethical life" at a time. And that means: the deliberation *itself* will always occur *qua* "ethical being," and will have taken others into account in the proper way. Hence, "in accordance with the concepts of ethics in general." Part of what this means is that the notion of deliberation itself, the moment of a suspension of the mere play of desires and inclinations in the service of some reflection, will also look different *qua* ethical being. It will not, for

example, involve some sort of pause in daily life, as if subjects begin to do clumsily what we would recognize as philosophy about what ought to be done. There are no gaps in the expression of ethical norms in the attempt to give a rational form to one's desires, and no gaps in the unfolding over time of the deliberated intentions.

Hegel's immediate invocation of one's status as an "ethical being" in giving one's inclinations a "rational form" also indicates that he has, without much explanation, shifted topics to "giving one's inclinations, etc. a special *sort* of rational form." There are obviously many ways in which giving a rational form could be connected with an eventual action. Among all the considerations relevant to which, if any, inclination I should act on, one might be satisfied with, in one's deliberation, the first consideration that seems more compelling than others; or one might survey all such considerations as thoroughly as possible and try hard to prioritize and act on the most compelling; one might try hard to formulate a policy that allows the greatest number of inclinations to be satisfied, and so forth. The introduction of an *ethical* form seems not just connected with the special subject matter of *The Philosophy of Right*, but with a form of reason that takes precedence over any consideration of private advantage, pleasure, or long-term well-being, and so forth. To reason as an ethical being is to treat rational considerations that could be offered and accepted in an ethical life (*Sittlichkeit*) as dispositive in some way. Understanding which way will require understanding the case for the priority of such an ethical life in reasoning about what to do (the subject of chapters 7 and 8).

As we shall see shortly the direction of such claims is also pointing towards some position wherein the exercise of whatever legislative and executive capacities count as freedom are (a) not original, or not properties, in some matter of fact or metaphysical sense, of a kind of substance just as such, but (b) results of and internalizations of social interactions and mutual commitments among subjects developed over time within a social community. The story of why Hegel believes this involves primarily his early appropriation of many themes developed in Fichte's 1796 *Grundlage des Naturrechts*. That long story has mainly to do with the root idea that one comes to develop a different relation to one's own desires and interests when not only physically hindered in the satisfaction of my desires but "challenged," as Fichte puts it, or "summoned" by an other who *rejects*, does not just stand in the way of, one's implicit claims to a piece of the earth. That sort of challenge is said to turn one's *own* relation to one's deeds into a claim, not just an enactment of a desire; this is so because one's own pursuit of desires turns into, must now be counted as

in this social situation, a demand or claim on the other as well. It is, on one's own side also, an implicit but real rejection of that other's entitlement and not just a hindrance. In Fichte this at least eventually leads to a state of mutually accepted coercion, a quasi-Hobbesian realization that I cannot make such a claim to secure use (i.e. cannot make such a normative claim, as it must become after the challenge) without accepting its universal relevance in like circumstances for each, and this justifies mutual negative restrictions on freedom in Fichte's account. (This is just one of many reasons why the separation of topics in this and chapter 6 is artificial, however necessary for expository purposes; the distinction, that is, between the psychological and social elements of freedom.) And as I shall try to suggest, Hegel's case goes far beyond the issue of rights protection and counts all normative claims as claims of, attempts at, mutuality of recognition, but his intuition follows Fichte's throughout: to wit, that although this can all look like a compromise with the existence of the will of others, and so like a partial subjection of my freedom to the will of others, it looks so only under the false assumption that there could be anything like an individually free will apart from that social challenge and response. Rather, the latter is the original condition of free agency itself, a social relation without which my relation to and enacting of my own deeds could not be conceived as free, and so a form of dependence in which independence is achieved, not compromised.¹⁹ This is the basic claim of Hegel's social philosophy: that another human being, *prima facie* a restriction or limitation on what I would otherwise be able to do, is *not* finally a limitation. In the proper institutional context, acknowledging the claims of the other is a form of self-acknowledgement and self-realization, and taking the other into account as I reflect what to do is no more a compromise with something "alien" than taking the particularities of my own interests into account is. Why this should be so is the central issue in Hegel's so-called "theory of recognition" (chapter 7), and the institutional form that serves as the proper condition for this reconciliation is Hegel's theory of ethical life, or *Sittlichkeit* (chapter 9).

¹⁹ This raises the large issue of the historical development of Hegel's emphasis on recognition, and the frequently heard charge that he abandoned an earlier, more intersubjective theory for a later, more monistic or monological theory. Versions of such a claim can be found in Habermas (1973) and (1987), Theunissen (1982), Höslle (1987a), Honneth (1996), *inter alia*. Williams (1997) also opposes the developmental or abandonment interpretation, but for reasons different than those presented there. See also Wildt (1982), pp. 325ff. and Siep (1974a), pp. 155ff. on the 1803–4 fragments of a philosophy of spirit, the turning point in Hegel theory, and Siep (1998), p. 118, on the persistence of the recognition theme later in the *Phenomenology* itself.

Hegel gives one of his favorite examples of what he is aiming at here in the Addition to §7. In glossing the full understanding of freedom as “the ‘I . . . with itself in its limitations, in this other,” he explains,

But we already possess this freedom in the form of feeling [*Empfindung*], for example in friendship and love. Here, we are not one-sidedly within ourselves, but willingly limit ourselves with reference to an other, even while knowing ourselves in this limitation as ourselves. In this determinacy, the human being should not feel determined; on the contrary he attains his self-awareness only by regarding the other as other. Thus freedom lies neither in indeterminacy, nor determinacy, but is both at once. (RP, 57; PR, 42)

VI

This all only introduces the topic of sociality, the theme of chapters 6–9, and the way in which concrete, institutional relations answer the question of the “proper” way of taking others into account, given that I can be said to deliberate only *qua* such ethical being. And it does not yet begin to address what seems to be looming as a pressing problem: Hegel appears to want to discuss ethical reflection so much “inside” the norms of an ethical community that (a) criticism of those norms looks harder to explain and (b) accordingly and more generally, how does Hegel differentiate, if he does, what is *taken* to have rational salience and weight at a time for a community, and what in fact *has* rational salience and weight?

These are the desiderata of the theory that are summarized in the claim in §23:

Only in this freedom is the will completely with itself, because it has reference to nothing but itself, so that every relationship of dependence on something other than itself is thereby eliminated. – It is true, or rather it is truth itself, because its determination consists in being its existence – i.e. as something opposed to itself – what it is in its concept; that is, the pure concept has the intuition of itself as its end and reality. (RP, 74; PR, 54)

The key to this passage is how broadly Hegel understands “the will completely with itself.” The will is understood as the agency of a concretely willing ethical being and so various forms of what seem human dependencies are now understood to determine such a will only in so far as such considerations are understood not as qualifications or limitations on the subject, but as aspects of its actualization. (Willing is the actualization of an intention, but that formulation of trying or attempting is just another description of the being-at-work in a distinct way of bodily engagement in the world, to recall the dual aspect view attributed to

Hegel in chapter 2.)²⁰ In willing “as what it truly is,” or “as truth itself,” such a subject can identify with its practices and deeds as its own, and in this sense “eliminate” reference to anything “not itself” as irrelevant to its deliberations and actions. In more concrete terms, such a subject could be said to understand what might otherwise appear as constraints on its individual self-sufficiency – the demands of family members, the state’s taxation, the limits imposed by competitors in a business, the demands of the state for citizens for its wars – as in fact “nothing but *itself*,” as aspects of its true self-sufficiency. This can occur because of a feature of this connection mentioned throughout but left pretty much still an unexplained explainer in the Introduction – the fact that these relations have an ethically rational form.

This is still an obscure and incredibly compressed claim, and it will be the task of chapters 6–9 to sort it out more, but it is important to stress the non-standard and distinctly Hegelian nature of this claim about the agent and the world the agent faces. What he means is continuous with what has been said earlier here: that the dependence of spirit on nature – any sort of mindedness is always embodied, a way of the being-at-work or *energeia* of a natural body – is fully consistent with an achieved form of independence, where this means that the status of our natural being and the natural being all around us has no automatic or necessary normative bearing on what we do, counts for nothing to us *qua* such forms of achieved mindedness. With respect to our normative deliberation natural and social dependencies do not matter unless we have a reason for counting them as mattering. There is a famous image of this in the Sense Certainty chapter of *The Phenomenology of Spirit*, where Hegel is insisting on the inherent “nothingness” of the mere objects of sensible attention and he makes what is for him a kind of joke. He insists that “even animals are not shut out from such wisdom” (the wisdom of the normative “nothingness” of natural objects confronting it), and they “show themselves to be profoundly initiated into it”

for they do not just stand idly by in front of sensuous things as if they possessed intrinsic being [*an sich seyenden*], but, despairing of their reality and completely assured of their nothingness, they fall to without ceremony and eat them up. (PhG, 69; PhS, 65)

Obviously none of this can possibly mean that in truth sensuous objects do not exist or that organic beings do not depend on them in a clear

²⁰ Cf. O’Shaughnessy (2003).

natural sense (they would starve without them). Indeed, nothing Hegel says here would make any sense unless such existence and matter-of-fact dependence were true. He is clearly talking about a completely different sense of dependence and independence and it will be our task next to figure out what sense he means.

VII

So, Hegel's position on freedom can be characterized as neither voluntarist, nor intellectualist, nor anti-intellectualist (or one wherein there are only desire-based reasons for action). Where does that leave us? Given the way Hegel understands a spiritual being, an action counts as a free action if undertaken in a certain way, executed in the light of certain kinds of considerations, certain motivating reasons. These considerations are also referred to as a giving of rational form to otherwise contingent and often conflicting inclinations. This standing above, and evaluating of any contingent inclination or interest or desire in a course of action does not transcend or stand outside of some historically achieved form of ethical life, nor is such reflection merely a matter of strategic satisfaction. It is a matter of somehow being able to identify with myself, with the determinate, individual course chosen, and with my inclinations, once they are given a rational form and so, he once remarks "purified" [*reinigt*]. This is how I could thereby become truly or actually the subject of those deeds, and so come to *take* responsibility (in more than the usual figurative sense) for them. (That such a result would count as a rational form for my particular, subjective inclinations, rather than their suppression or sacrifice, is what is supposed to count as a picture of an actual will, both individually motivating and ethically coherent.)

This last issue – taking responsibility – prompts a concluding remark that will also introduce the theme of chapters 6–9. Recall that the major issue for Hegel in determining the degree of freedom that can be ascribed to an agent depends not on the extent of the causal power exercised, but on the kind and quality of the justifications that could be offered and accepted or rejected in a social community at a time. It is this latter issue, then, that determines the quality of and the extent to which, one can be said to assume or take responsibility for an act, to stand behind it as one's own. In the most general terms, this issue is evident historically in the issue of what is assigned to nature, fate, or to some other sort of inevitability and unavoidability, and what can be properly assigned to agency in general, and an individual in particular. In some contexts at some

times, nature might be understood to be itself an agent, acting, or communicating, as in oracles or portents. In other contexts, much of human life might be seen not as the expression of meaning, but as the inevitable manifestations of a natural cycle or as causally inevitable. Drawing the line in such ways between what we are able to take and assign responsibility for and what we can exempt from such takings and assignments, can vary a great deal and is obviously a controversy still with us (as in debates about insanity defenses at trials, or drug therapies, or evolutionary explanations of social behavior).

Hegel is offering a historicized but not relativistic account of how that line is drawn, or how we might understand the coherently developmental way it has been drawn and redrawn in the past. His account in the chapter on spirit (Chapter VI) in the *Phenomenology* is, for example, a prime instance of his attempt to do so, and I'll make use of it here to give something the flavor of how he works out the abstract notions from the Introduction to *The Philosophy of Right*. In the first place, to return to the example made use of here before, the beginning of the chapter explicitly identifies the distinction between nature and spirit as something made or produced, and uses very unusual language to describe how an aspect of human existence can be "made" an element of spirit. This is the example of burial practices. He ascribes to the family a duty not to *allow* the deceased to become a mere part of nature; the deceased must not be allowed to rest as "something that has become immediate, natural" [*das unmittelbare natürliche Gewordenseyn*], that is, something not "the doing of consciousness," and so must be *claimed as* "something done" [*eingethanes*], whereby the "right of consciousness" can be asserted (PhG, 244; PhS, 270). He continues such language through this section, continually making the existence of persons a result of what we take up, transform, and call on others to do, not something dependent on the properties of the object itself. What has happened, in this case a death, or the status of the human dead, must be made a "work . . . a being also willed [*gewolltes*]" (PhG, 250; PhS, 278).

Then, throughout the Antigone discussion, the same emphasis recurs again and again, especially in the account of the dispute with Creon. Both are struggling to be or become or sustain status as agents, to become the subject of deeds (an attempt that can succeed or fail), and such an attempt depends on how they claim to take on, stand behind their deeds – Creon's decree and Antigone's defiance – and how they react to each other's claims. Both, it is understood, must *claim* a status by what they do as well as say. Antigone rejects the impracticality considerations offered

by her sister Ismene (which amount to a quite reasonable account of what literally and correctly just cannot be done – burying Polyneices – given the guards and the situation and their own weakness). What is important, Antigone implicitly asserts, is what one claims for oneself, what sort of recognition one demands; that the issue of the status of Polyneices as a family member as well as citizen is not independently real, a mere biological fact and, somewhat surprisingly, is not even a matter of successful burial. It all hinges on what the family allows to be done or to be done or said *unchallenged*. Polyneices is still her brother because the relation to him is not a matter of fact, not determined by nature, but is an ethical relationship, or is one so long as it is so maintained. When it fails to be, the gruesome spectacle of an unburied corpse that haunts the play figures what Polyneices and everyone in any way “outside” politics or the *polis* will become, if Antigone does not refuse to allow it. Antigone thus insists on “taking on” a good deal more than Ismene even thinks possible, or Antigone wants to count an omission as a *deed not done by her*, rather than a necessity acknowledged, and the possibility of this stance depends on the justifications that, she believes, require her to act, even if success is hopeless.

This passage in the Jena *Phenomenology* is thus important well beyond the particular interpretation of Greek ethical life being offered. It is one of the clearest examples of the way, for Hegel, human agents can be said to take on deeds and relations that would not exist were they not so constituted, and a continuing indication of the social struggle for recognition that, he thinks, defines the possible success or failure of such attempts. What Hegel goes on to try to show has to do with the limitations of these ways, these justifications or reasons. While the character of action itself is described here as a “stepping out” [*heraustreten*], and thereby a way of actively taking on an action as one’s own (the basic subject matter of the Introduction to *The Philosophy of Right*), one does so on the basis of considerations that themselves have to be accounted for and so themselves appropriately taken on. In the beautiful but disintegrating “ethical life” of the Greeks, one steps out only by also immediately re-entering an “ethical power” which one more inhabits than takes up. The immediate identification with such roles makes any full reflection or effectively active taking on of such roles quite constrained and so dooms the conflict to a tragic and unmediatable collision. (Role identification in crisis situations becomes a view one holds, not a mindless practice one inhabits, but the exchange of justifying considerations occurs in much too limited a way for the exchange to get very far.) This begins an account by Hegel of how

various ways of taking on and justifying deeds (reasons in this socio-historical sense) can themselves be (or not be) self-consciously understood and so affirmed, and this until he gets to something almost the exact polar opposite of the situation in Sophocles: Diderot's novel, *Rameau's Nephew*. In such a world, such possible justifications and so possible ethical worlds are understood as if all were mere theatrical masks, as if freedom were not, could not be, a matter of any deep, non-alienated identification with who one is, but a complete and permanent state of alienation, of not being anybody and so potentially being anybody. What had seemed "nature" now seems all mere "culture" (*Bildung*), and the deracinating and potentially revolutionary aspects of this sort of humanism are traced with what Hegel hopes to be a phenomenological logic.

This link between the establishment of agency and such rationales, and the link between these ways of taking on and standing behind deeds and a possible mutuality of recognition, end up presenting us with a very different picture of agency and the possibility of responsibility than is standard in the modern tradition. This all has the result of making agency as much, if not more, a matter of retrospective justification and understanding and mutual recognition than a matter of prior deliberation and the power to choose. And the core idea is particularly counter-intuitive: that a deed can *become* one's own "later" by virtue of the ways at one's disposal to "look back" at such a deed and take it up or not (ways in a given society at a given time, commonly available as a way of justifying and standing behind what was done). But Hegel is, I would claim, more than willing to accept such a characterization. (The owl of Minerva, after all, takes flight only at dusk.) I turn now to his most explicit attempts to justify such claims about the social nature of agency.

The freedom of the will: social dimensions

I

The topic we have arrived at is Hegel's "social theory of agency," and that topic, given how the problem of agency is usually understood, raises the immediate question of why anyone would think that sociality would have anything at all to do with the problem of agency. So it might be a good idea to back up a bit and get a running start at the problem.

As we have seen several times, that problem is understood in a number of ways; most generally – what distinguishes naturally occurring events from actions (if anything)? (Sometimes the question is: what, if anything, distinguishes responsible human doings from what animals do?) The most prominent approach has it that actions are things done intentionally by individuals, purposely, for a purpose. This is sometimes said to mean: acting from or on or because of an intention, although, as we shall see, this nominalization can be misleading. Or, of the many possible descriptions of some occurrence, it is an action if there is a true description under which it is intentional. This is often taken to mean simply that if you ask a person why he is doing something he can express this intention to explain himself, most often in the form of a reason.¹ He does not (except in extraordinary circumstances) describe why he is acting in the way he might describe what caused his lungs to deteriorate; instead he reveals something about his own relation to his psychological inclinations and aversions; his "evaluative" relation to them, as it is sometimes put.² His acting intentionally amounts to his having evaluated what he ought to do, and to be acting in the light of that resolution.³

¹ See Anscombe (2000), §5. ² See Taylor (1985c), and Frankfurt (1988).

³ This evaluation need not be explicit, need not involve periodic episodes of inaction and calm deliberation. The evaluation can become habitual and unreflective and occur in an everyday way, responsive to the world, his own past, and so forth without all such considerations being "taken up" explicitly as such. This sort of everyday "separation" within one's mind, the ability to reflect rather than merely act on one's inclinations, as well as an everyday "identification" or ultimate affirmation of a course of action is quite important for Hegel, as chapter 5 indicated. For an account of

(So animals act purposively but not “for a purpose” in this evaluatively affirmed sense.)⁴

So far, so good. Hegel agrees with this approach. He agrees that without reference to a subject's “take” on what is happening and why, without reference to an inner realm, or a self-relation, we will not be able to identify the class of events that are actions. For example, Hegel explicitly makes the distinction so important in these discussions, between an action of mine and a thing done by me or because of me but not as an action ascribable to me, and so as something done, but unintentionally. He calls this the difference between a *Handlung*, or genuine action, and a mere *Tat*, a thing done by me. (As in the familiar examples, I turned on the light and in so doing also I alerted the burglars. I intentionally turned on the light and so that is my action, but I had no knowledge (nor could I have reasonably been expected to have knowledge) that there were burglars about, so while I did alert the burglars, that is a mere thing done by me; I brought it about but only as a *Tat*. The only way to make this distinction is by appeal to the subject's view of what he is doing and why.)⁵

The next question is what it is to act intentionally, or from an intention. One answer is that such intentions are a special kind of cause, and their being this special kind of cause – psychological states like beliefs and desires – is what distinguishes actions. Actions are uniquely caused by beliefs and desires. Philosophers who believe this usually also believe that only causal explanation is, properly, explanation, and are compatibilists, believe that freedom is compatible with such causal status.⁶ Other philosophers also believe in unique causation but they insist that beliefs and desires don't cause actions; I do by “an act of will,” a spontaneous act of

intentions as “plans” that involve putative commitments to just-now-beginning and distant, future goals, see Bratman (1987).

⁴ This sort of picture obviously allows for degrees. One can begin acting with a very inchoate and obscure sense of purpose and even more obscure sense of the propriety and desirability of pursuing that purpose. In becoming more self-consciously clear about what one is doing (is after) and why, the meaning of what one does can change as well. Cf. Taylor (1985b), pp. 83–4. Taylor emphasizes the problem of the “medium” of expression obscuring any possible self-transparency, but he does not note that any such medium in Hegel is also extended in time and that it is complexly social, responsive over time to social strains, breakdowns, interactive “negotiations” of a sort (where this is understood in a highly figurative way).

⁵ This distinction is made late in Hegel's career, later than the Jena *Phenomenology* anyway (see RP, 217, 219; PR, 144, 146). But even here, having made the *Handlung/Tat* distinction, Hegel does not strictly observe it and uses both *Handlung* or *Tat* to refer to what properly are actions. I will follow him in this imprecision, referring unsystematically either to actions or “deeds,” delineating *mere* “things brought about by me” only when necessary.

⁶ The obvious avatar here is Davidson (1980a).

resolve that can cause without being caused. This is the free will party, or incompatibilists or voluntarists or libertarians.⁷

Things get very interesting at this point because Hegel is neither a compatibilist nor an incompatibilist in *these* senses because he does not believe that the relation between inner state and outer deed is a causal one at all, whether natural causal or could-have-done-otherwise causal.⁸ He agrees that the subject's attitude is crucial in distinguishing actions as such, and that the attitude at issue is an intention. He agrees that having an intention is a function of having reasons and being able to take up the question about which ought to be compelling, and so that there must be a reason which explains why I ended up doing what I did among many possibilities.⁹ The capacity to manage this everyday reflection about practical considerations pro and con in this way is the self-relation crucial to agency, an ability, as Hegel says, both to have and to "stand above" considerations experienced as inclining one towards and away from possible actions.

The thesis now coming into view is that it is this self-relation that cannot be understood apart from social relations; my relation to myself is mediated by my relation to others. What does "mediated" mean here? One sense meant by Hegel is fairly obvious. Practical reasoning is a norm-bound activity (one wants to get the right answer about what one ought to do), and the norms in question are not themselves simply "up to me"; they reflect social proprieties, already widely shared, proprieties functioning as individually inherited standards for such deliberation.¹⁰ Kant thought that there was at least one norm not so inherited and socially mediated (or at least permanently accessible to anyone at any time, even in the face of overwhelming contrary cultivation and socialization): the form of pure practical reason as such, accessible to anyone by abstracting from and putting out of play contingently desired ends, any inherited norms of assessment, and attending only to such a form. It is well known that Hegel denied that such a norm could be either action-guiding or

⁷ See Kane (1998).

⁸ As argued in chapter 2, he is clearly a compatibilist in *some* sense, since he does not believe that the possibility of freedom requires some exemption from the laws of nature.

⁹ That there is a reason which best explains why someone did something does not, though, for Hegel, show that reasons must be causes. So he is not bothered by the fact that phenomenologically it is next to impossible ever to distinguish "the" reason which could causally explain why the act was done.

¹⁰ This is true even when such proprieties are rejected. Only someone unimaginably isolated from the long process of human socialization would be able to avoid considering such a deviation as anything other than a deviation, a defiance of such proprieties.

motivating, and thought that by contrast practical reasoning always involved a responsiveness to social norms; that one deliberated *qua* "ethical being" (*sittliches Wesen*), not *qua* rational agent, full stop.

Secondly all agency requires the assumption of some act-description and some self-ascribing of intentions, and Hegel insists that we must treat the agent's own description and ascription, given "unabstractability from social context," as merely provisional. This is the most unusual and original aspect of his account. Hegel takes very seriously the fact that people can be wrong about their self-descriptions (wrong about what doing that "among us" would be), wrong about, or ignorant of, the full meaning, scope and implications of some commitment, and *even* wrong in their self-ascriptions, wrong about their own intentions, and he orients a good deal of his position from this fact. Both aspects are said to be subject to some form of social responsiveness and mediation before the initially indeterminate can become determinate, all such that you would not be doing *that* among us if the act, let us say, were not received as *that*, and you have not executed your intention *successfully* if others cannot ascribe to you both the act-description and the intention you ascribe to yourself.

It is in these senses that Hegel wants to tie together a self- and other-relation, and it is the latter set of concerns, the inner-outer problem, that I want to discuss in the following. There are so many controversial elements in his position that I propose to sketch first the overall contours of that position in section II below, and then in the remaining sections turn to the texts that I think support such an interpretation.

II

One obvious condition necessary for me to be able to act as a free agent, to recognize my deeds as my own, is that I must be able to know my own mind, know my own standing attitudes, commitments, dispositions, preferences, and so forth, and be able to engage in some sort of reflection about the relative weight of various considerations, assess the degree of my commitment, understand which consideration ought to be acted on in any given situation, and the like. Hegel may not accept the standard picture of individuals exercising an exclusively and uniquely first-personal and self-certifying intra-mental deliberative faculty, but he clearly means to claim that there must be *some* significant independence of the subject from what she is merely inclined to do, that there is no causal or automatic link between the experience of some such motivating inclination

and an action. If actions are a distinct class of events, then explanations of why the action occurred must appeal to such psychological items and the agent's relation to them, and among the many things that happen because of me, if there are some that I can be held responsible for (i.e. if there are intentional actions), it must be in virtue of such an appeal to the at least initially divided "inner" life of the agent and the manifestations of these items in the "outer," publicly accessible world.

Now the unique features of all forms of self-knowledge have been an enduring theme in modern philosophy, and have been taken by many to lead easily into paradox and *aporia*. The situation is no easier in Hegel and is made even more difficult by some extremely unusual things said about self-knowledge and by what he claims about the *inseparability* of self-knowledge and knowledge of the world and, especially, knowledge of and relations to, other agents. Most paradoxically, he even insists on what he calls a "speculative identity" between the "inner" and the "outer" in action. As we shall also see, Hegel is going to make much of a theme quite prominent in contemporary writing on the subject: self-ascriptions of intentions are not to be understood as based on observation; they are not reports of mental items.¹¹ Such self-ascriptions must be understood to express a resolve, to avow a commitment; they do not report a mental episode or item that could then function as a discrete cause of a body movement. When I express an intention, even to myself, I am avowing a pledge to act, the content and credibility of which remains (*even for me*), in a way, suspended until I begin to fulfill the pledge. But at this familiar point (an asymmetry between first- and third-person claims, or common cause with Anscombe on "non-observational knowledge"¹²), Hegel veers off on his own.

In the first place, it is clear that Hegel is out to re-conceive how we should understand the *temporality* or temporal extension of actions, how to understand their beginning and their realization, how to frame properly what is relevant to the beginning and what to the end or completion of

¹¹ Again, the wellspring here is Anscombe (2000) and neo-Wittgensteinian doubts about an isolated domain of "the inner" (see §8 and §28). See especially: "All this conspires to make us think that if we want to know a man's intentions it is into the contents of his mind, and only into these, that we must enquire; and hence, that if we wish to understand what intention is, we must be investigating something whose existence is purely in the sphere of the mind; and that although intention issues in actions, and the way this happens also presents interesting questions, still what physically takes place, i.e. what a man actually does, is the very last thing we need consider in our enquiry. Whereas I wish to say it is the first" (p. 9).

¹² Anscombe (2000), pp. 13–15.

actions.¹³ That is, he is asking that we in effect widen our focus when considering what a rational and thereby free agent looks like, widening it so as to include *in* the picture of agency itself a contextual and temporal field stretching out “backwards” from or prior to, one might say, the familiar resolving and acting subject, and stretching “forward,” one might also say, such that the unfolding of the deed and the reception and reaction to it are considered a *constitutive element* of the deed, of what fixes ultimately *what was done* and *what turned out to be* a subject's intention. (The ultimate goal is to break the hold altogether of the notion of “a moment” of resolve or a moment of causal efficacy.) It sounds a bit strange to try to say that all of that should somehow be considered as more properly *in* the picture of “the subject acting on reasons,” the socially and temporally embedded subject-who-acts and is responded to, but that is the position Hegel is advancing and that I would like to understand better. (When, in the chapter on Spirit in the *Phenomenology*, he is glossing what he takes to have been established earlier on the nature of action, he remarks that the unique nature of the “reality” of action is that

this reality is a plurality of circumstances which breaks out endlessly in all directions, backwards into their conditions, sideways into their connections, forward in their consequences.) (PhG, 346; PhS, 389)¹⁴

This is all connected with a feature often described as distinctive of Hegel's account of agency, but not yet, I think, well understood. Actions are *expressive*, not merely the unique results of an agent's executive powers. What is displayed in what results (and so the initial difficulty in, the social complexity of, determining just what is displayed) is thus as important to Hegel as any putatively unique causal path to those results. Actions both disclose what an agent takes herself to be doing (sometimes *to* the agent, and often obscurely and partially, never immediately) and manifest some implied normative claim to entitlement so to act, all in a way that raises to prominence an interpretive question in any action, even for the agent: what was done and how could it have appeared justifiable?¹⁵

¹³ I don't mean this dimension is absent from Anscombe. See §26 on what she calls the “A–D” order in intentional actions that are parts of a extended temporal series. But Hegel accounts for this extension in a different way.

¹⁴ As the passage goes on, Hegel makes clear that he does not think that an agent must somehow take account of all these various dimensions in order to truly be an agent and certainly not that he can be held responsible for them. But he does insist that some realization of this extent and especially the dimension: “something which is only for others,” is a necessary “moment” of acting consciousness.

¹⁵ Understanding Hegel on action as an “expressivist” account obviously owes a great deal to Charles Taylor's work on Hegel (Taylor 1975) and to his path-breaking article, “Hegel's Philosophy of

The answers to such questions do not lie in the mind of the agent any more than answers to similar questions about “what was made” reside in the psychological states of the artist. Hegel’s model wants to shift attention from the causal power of the doer as critical in my ownership of the act to what he refers to as “making the act my own,” that is a recovery of it as one’s own. The nature of agency will be understood in understanding the nature of this recovery; not in understanding some originary causal power.¹⁶ Hence the famous Hegelian *Nachträglichkeit*, belatedness, in any account of both individual and historical meaningfulness.

Such a social picture is playing a major role in Hegel’s objections to a causal or voluntarist theory of acting on reasons since the claim is that no individually conceived agent can be said to have a proprietary or original relation to what she has done, that she does not have something like clear, automatic title to just what it was that was done. The proper act-description partly depends on the established context of deliberation and action (what having this or that practical reason for doing this or that could mean in such a context) and partly on what intention and what act-description are attributed to you by others. If that is so, then no trumping priority can be given to the agent’s own expression of intention; the true content of that intention can be properly identified only by relation to an act-description that will involve many pre-volitional conditions and it will have to be provisional and temporally fluid, unstable across time and experience, as it were. This latter is probably the most counter-intuitive claim yet, because Hegel will not treat intentions as discrete states that can play the requisite causal roles in a standard causal model of explanation, but anyone who agrees with Hegel that there is something misleading in trying to understand freedom by attention to some unique *ex ante* causal power of a singular subject seems led into such a thicket.

By the “true content” of the intention, I mean to refer to the most complicating factor in Hegel’s account, one already noted and to which

Mind” (Taylor 1985b). But Taylor links his interpretation to a Hegelian theory of “Cosmic spirit” and so understands human actions as partly *vehicles* for the self-expression of Cosmic spirit (Taylor 1985b, pp. 83, 87). I have disagreed with this account in Pippin (1989). I also have a much different account of the sociality of action than Taylor’s, as will be clear in this chapter and chapters 7–9. And most importantly, nowhere in Taylor’s treatment does he link the possibility of “recovering” an action as mine with the problems of rationality, legitimacy, and normativity, all of which, I am arguing, are crucial to Hegel’s case. Taylor treats the problem more as a question of hermeneutics, a restriction I don’t think fits Hegel’s texts.

¹⁶ The relation between an agent and a deed is not like that between the foot and a soccer ball when the ball is kicked; the intending agent does not cause bodily motion (*à la* Davidson) in the way the foot causes the ball to move, but is rather to be understood on the model of an artist’s somewhat provisional and somewhat indeterminate “plan” unfolding over time as the art object takes shape.

we shall return in detail. That is, Hegel's account of intentions is oriented from the fact that any treatment of the subject's expression of her own intention must acknowledge that, however privileged first-person authority might turn out to be, agents can still greatly exaggerate both the degree of their own "ownership" of the intention (an experience of making up one's own mind could be evidence of the success of some interested group's efforts to control the way you view the issue), and they can exaggerate the degree of the commitment expressed in an intention; their self-avowal can be as much a fantasy-of-an-intention as a genuine expression of resolve, even though the expression may be sincere. The best authority to ask when you are interested in what someone intends to do may indeed be that person. But being the best authority does not mean being an always reliable authority. I can also sincerely claim that I in fact executed the intention when that is not the case, and I can describe what I did in ways countered by everyone else in my social community. But the first "individuality-qualifying" condition (the factors said to be relevant in what precedes the resolution and action) is also controversial on its own.

The relevance of the actual social world that precedes any individual resolution to any proper explanation of an action is a much better-known aspect of Hegel's position. Partly this depends on claims in Hegel's ontology that contest our usual intuitions about the ultimacy and self-sufficiency of the individual human agent and her isolatable, discrete psychological states.¹⁷ Partly this claim about the explanatory relevance of a range of prior social factors stems from the fact that Hegel has not separated what he considers the objective and subjective dimensions of practical reason, and so has posed the question as: what could actually count as reasons for a subject at a time in a given community to do or forbear from doing something? And this has the historical implication already noted, although certainly not the relativist implications it might seem to have. What could count for Antigone as a reason to act could not *be* what would count in the same way for Cordelia in Shakespeare's play, however sincere and reflectively sophisticated both might be.¹⁸ And

¹⁷ More on this and its political implications in chapter 8.

¹⁸ That there are such objective dimensions to rationality also means that some considerations might be playing a role in an agent's deliberations although the content of those considerations might be in some tension with "full" deliberative rationality itself. A consideration that might have once served as a justification in a society at a time, and for individuals, might cease to play such a role after some historical change. So in Hegel's view persons could be said to become "more" like agents as a result of such an objective change. The character of the considerations that circulate as reasons for others and for individuals are also constitutive features of possible and greater or less agency.

subjectively, it is also important to note the possibility of the consideration actually counting to a subject as justificatory, something we have to stand behind, not just cite or invoke (not just “how we go on”). It is relatively uncontroversial that the degree of justificatory force possessed by some consideration is not something an individual subject grants or discovers by reflective activity alone. So to say that practical reasons must be “actual” to count as reasons is not only to make reference to the objective, historical condition; it is also to say that the considerations must be able to be motivating or “internal” reasons for a subject and cannot be merely or exclusively “external” reasons.¹⁹ They can be said to become such internal reasons only by means of a process of complex socialization.

Indeed, Hegel’s position is even stronger than this, and this for reasons we have already seen in some detail. That is, being a subject or an agent is not treated by Hegel as an ontological or strictly philosophical question, but as an achieved social status such as, let us say, being a citizen or being a professor, a product or result of mutually recognitive attitudes.²⁰ This means just what it seems to: that different historical communities establish this status in different ways, and there is no truth-maker or fact of the matter they are getting wrong or more and more right. So for Hegel the explanation of the fact that ancient authors do not seem to have what Christian metaphysicians call the will, or that British philosophy of the eighteenth century ties normative distinctions so much to the influence of the passions, or that Kantian moral psychology describes agency as paradigmatically the capacity to obey the dictates of pure practical reason, will all have to be explained in a way that is profoundly historical. This is so even though it is *also* the case that the attribution of such a status can, according to Hegel, be more or less successful or more or less complete. Various elements of the attributed status can involve internal incompatibilities and internally conflicting ideals that must still be overcome. As we shall see, Hegel thinks that there is such a “pragmatic” defect at the core of a modern notion of agency based on ontologically distinct individual centers of unique intra-mental causal powers. He is especially looking for what he considers a diagnosis of the unsustainability

¹⁹ The insistence on the actuality of such reasons (and the exclusion of merely ideal reasons as possible reasons to act) means, I have argued elsewhere, that Hegel has accepted a so-called “internalism” constraint as a condition of the possibility of practical reasons. (In Bernard Williams’ succinct formulation: “If there are reasons for action, it must be that people sometimes act for those reasons, and if they do, their reasons must figure in some correct explanation of their action” [Williams 1981, p. 102].)

²⁰ One drifts here easily into the language of Robert Brandom’s “semantic externalism,” since it compresses and makes clear so many of the issues.

of such a self-understanding and he proposes as part of that diagnosis an account of the logic behind the notion of inner intentions or resolutions causing external, publicly observable body movements.

III

But besides these reflections on ontology, on what counts as a satisfactory explanation, and on the objective dimension of practical reasons, Hegel also offers a basic critique of a common modern picture of agency itself, and he offers an alternative picture of the distinct logical structure of agency, what we have come to understand, he claims, as the “inner–outer” relation. This introduces the issue of how the unfolding of a deed in time and for others, after an agent has begun to act, is as essential a dimension of what makes agency agency as what precedes the putative moment of decision. His richest discussion of the issue is in the second half of Chapter Five, on practical reason, in the Jena *Phenomenology*. (The claim is not limited to that section. In his *Encyclopedia Logic*’s treatment of “inner” and “outer,” Hegel’s predictable formula is simply: “Hence what is only something inner, is also thereby only external, and what is only external is also only something inner” (EL, 274; EnL, 197, translation altered). We get a bit more detail in the *Phenomenology*. There Hegel argues that our conventional modern understanding of agency makes a distorting error by clumsily “separating” the inner intention from the outer manifestation of the inner, and also in trying to explain the action by reference to the isolated separate intention as prior cause, and it is that case I would like to examine for the remainder of this chapter.²¹

The core claim in this critique is that we cannot determine what actually was a subject’s intention or motivating reason by relying on some sort of introspection, by somehow looking more deeply into the agent’s soul, or by some sincerity test. “By their fruits shall ye know them,” Hegel often quotes, and he might well have added “*only* by their fruits or deeds.” Only as manifested or expressed can one (*even* the subject herself) retrospectively determine what must have been intended. And of course it seems a bit paradoxical to claim that we can only know what we intended to do after we have actually acted.²² But there is little doubt that Hegel holds

²¹ See the interesting and neglected discussion in Burke (1969) on the paradoxical implications of the language of “motives,” “being moved by,” “moving to act,” and so forth, especially p. 40 on one’s being “moved by his being-movedness.”

²² But compare here Hare (1952) and Davidson (1980b). Cavell (1976) is also quite right to point to the phenomenon where someone interprets what I meant, but I am dissatisfied with the way he

something like such a position. Consider: “Ethical Self-consciousness now learns *from its deed* the developed nature of what it actually did” (PhG, 255; PhS, 283); or, “an individual cannot know what he is until he has made himself a reality through action” (PhG, 218; PhS, 240).²³

Or consider formulations, again from the *Encyclopaedia*, that go a bit farther:

We are accustomed to say of human beings that everything depends on their essence [*Wesen*] and not on their deeds and conduct. Now in this lies the correct thought that what a human being does should be considered not in its immediacy, but only as mediated through his inwardness [*Innere*] and as a manifestation of that inwardness. But with that thought we must not overlook the point that the essence and also the inward only prove themselves [*sich bewähren*] as such by stepping forth into appearance. On the other hand, the appeal which human beings make to inwardness as an essence distinct from the content of their deeds often has the intention of validating their mere subjectivity and in this way of escaping what is valid in and for itself. (EL, 234; EnL, 164–165, translation altered)

However, as noted, the most concentrated and richest discussion occurs in the Jena *Phenomenology*. In the two last sections of Chapter Five, Hegel attempts a sweeping, internal and quite unusual “phenomenological” critique of the voluntarist position. He proposes to show various ways in which the relation between what the deed means to me, inwardly, as I intend it and given the reasons I take to justify it, can easily come to be experienced by such a subject as in some tension with the way the actual deed plays out, within the external, social world. This tension is also shown to be heightened by the way the deed might be construed by others or resisted by them (resisted interpretively, contesting the claim by the agent about what was done). Since all of this stems from an abstract and, he thinks, ultimately unsustainable strict separation between inner motive and external manifestation, Hegel goes on to investigate how this opposition might be resolved. And he engages in a wide-ranging exploration of literary and historical types used as phenomenological evidence, all unlike anything attempted before in the history of philosophy.

puts something, but have as yet “for myself” no determinate alternative until someone puts it another new way and I can *now* (and only now) say, “yes that’s what I meant, what I intended.” Cf. Cavell’s remark, “it may still seem, for example, that no present or future revelation can show what an earlier intention was” (Cavell 1976, p. 233). Cavell believes that this counter-intuition can be countered, and so do I. It is what I tried to show in Pippin (2000a).

²³ On the connection between this retrospectivity theme and the appeal to literature in *The Phenomenology of Spirit* as one way of getting the whole, relevant field or context of agency into view, see the valuable discussion by Speight (2001).

The relevant discussion begins towards the end of “Observing Reason,” when Hegel begins to introduce sweeping claims about agent and action that anticipate the rest of the chapter. The clearest early sign of what he is after occurs after his approval of Lichtenberg’s joke about physiognomy, that the right retort to anyone who says, “You certainly act like an honest man, but I see from your face that you are forcing yourself to do so and are a rogue at heart,” is a “box on the ears.” He goes on,

The true being [*wahre Seyn*] of man is rather his deed; in this individuality is actual [*wirklich*], and it is the deed that does away with both aspects of what is merely intended [*Gemeinte*]: in the one aspect where what is ‘intended’ has the form of a corporeal passive being, the individuality, in the deed, exhibits itself rather as the negative essence, which only is in so far as it supersedes being. Then too the deed equally does away with the inexpressibility of what is ‘intended,’ in respect of the self-conscious individuality. (PhG, 178; PhS, 193–194, translation altered)

The point Hegel is making is a general one about all attempts to qualify an agent’s deeds by appeal to some essence or truth or true self, although it is made here in terms of a contrast between someone’s character as expressed in facial geometry or physiognomy as opposed to what the person actually does. Hegel means here that the actual deed “negates” and transcends that aspect of the intention understood as separable as subjective cause, understood as the mere occurrence of a somatic desire or passion or inclination to act, or understood as physiognomic essence, as well as the idea that one’s real intention can only ever be partly expressed in a deed, and so remains in itself inexpressible, “*unaussprechlich*.” Contrary to both views: “the individual human being *is what the deed is*.” All such that if a person’s deed, also called her “*Werk*,” is contrasted with the “inner possibility” then it is the work or deed that “must be regarded as his true actuality, even if he deceives himself on this point, and turning away from his action into himself, fancies that in this inner sense he is something else than what he is in the deed (*That*)” (PhG, 178–179; PhS, 194).²⁴

²⁴ Hegel admits in this passage that one can perform deeds that are not expressive of “one’s being” even though they are intentional and volitional. He places a great deal of weight, though, on whether the deed is “actual.” In fact, this question of his, “what settles the character of the deed is just this: whether the deed is an actual being that endures” [“*Aber den Charakter der That macht endlich aus, ob sie ein wirkliches Seyn ist, das sich hält*”] is, to say the least, a non-standard question. He obviously does not mean whether the deed was actually performed (as opposed to fantasized, merely rumored to have occurred, etc.), but something like whether it counts as an expression of me, or as a mere “fancied performance” in the translation, a mere “*gemeintes Werk*,” that “in itself is nothing at all and merely passes away” (“*das in sich nichtig vergeht*”). It is important that what other things you do (whether the deed endures) is a criterion for assessing this, not simply sincerity of avowal. He goes on:

Finally, there is an implication about this position that Hegel eagerly accepts, but that raises a number of difficult questions, most prominently in the “*die Sache selbst*” section. For if there is *no* way fully to determine what an agent intended prior to and separate from the deed, if it’s only and wholly “in the deed” that we can make such a determination, then not only are we faced with an unusual retrospective test of the true intention, even for the agent, it also follows that we cannot specify *the action* wholly by reference to such a separate intention. What *I* take the act to be, its point, purpose and implication, now has none of the trumping authority we intuitively attribute to the agent. In such an account I don’t exercise any kind of proprietary ownership of the deed, cannot unilaterally determine “what was done.”²⁵ This is, as it were, subject to contestation within some concrete social community, the participants of which must determine what sort of deed “*that*” *would be* in our practices, how our rules apply. My intention is thus doubly “real”: it is out there “in” the deed, and the deed is essentially out there “for others.” In describing agents who pride themselves on “not caring what people think,” and for “having integrity” and for “believing in themselves no matter what the critics say” and so forth, who believe that there is what Hegel calls *die Sache selbst* (an inner essence, inner fact of the matter, true meaning of what was done) determined by my subjective take, Hegel notes,

in doing something, and thus bringing themselves out into the light of day, they directly contradict by their deed their pretence of wanting to exclude the glare of publicity and participation by all and sundry. Actualization is, on the contrary, a display [*Ausstellung*] of what is one’s own in the element of universality whereby it becomes and should become the affair [*Sache*] of everyone. (PhG, 227; PhS, 251)

From the viewpoint of such a Mr. Integrity, Hegel reports, this (the involvement of others) would look like “flies” hurrying along to “freshly poured milk,” busying themselves with another’s business, but Hegel rejects this attitude and insists that with all action “something has been opened up that is for others as well, or is a subject-matter on its own account.” Said another way, you may possess first-person authority about whether you have

The analysis of this being into intentions and subtleties of that sort, whereby the actual man, that is, his deed, is to be explained away again in terms of a being that is only “meant,” just as the individual himself may create for himself special intentions concerning his actuality, all this must be left to the laziness of mere conjecture (“*Müssiggänge der Meinung*”). (PhG, p. 179; PhS, p. 194)

See also PR, §124.

²⁵ Cf. “A man’s intention in acting is not so private and interior a thing that he has absolute authority in saying what it is – as he has absolute authority in saying what he dreamt” (Anscombe 2000, p. 36).

resolved to do something and about what you take yourself to have resolved; but that does not settle the issue of what you have resolved. Avowing what you intend to do still leaves the matter of whether you have truly resolved (or are only fantasizing), the degree of your actual commitment, and what you have in fact decided to do, wide open. Practical attitudes about the future (intentions) require such a distinction and a way of resolving the issue.

In his discussion of moral consciousness, especially moral, subjective self-certainty in the Chapter on Spirit, Hegel, in a clear attempt simply to recall what he takes himself to have established in this chapter, remarks:

The action is thus only the translation of its individual content into the objective element, in which it is universal and recognized, and *it is just the fact that it is recognized that makes the deed a reality*. (PhG, 345; PhS, 388, my emphasis.)

He then recalls the discussion of *die Sache selbst* and distinguishes the difference between the naïve attitude of “the honest consciousness” with the more reflective self-certainty of conscience.

(I note that Hegel has not claimed (and will not claim) that some consideration literally “becomes” one’s intention after one has acted, as if a mental episode “comes to exist” after the deed, or that others “determine” an agent’s intention in this existential sense, all as if there is backwards causation. In the vast majority of cases, one’s prior, determinately formulated intention unfolds and is expressed in actions taken to be just those actions by other agents. It is the possibility of this not happening in this way (or the possibility of an exaggerated avowal of some degree of commitment or some self-serving insistence on a socially rejected act-description) that interests Hegel and which suggests to him that this is an ever present even if rarely relevant possibility and which he takes to show that that there is no privileged role due the agent’s formulation.)²⁶

Further, if it counts as a condition of the successful execution of an intention that others apply the act-description to the deed and attribute the intention to me that I attribute to the deed and to myself, what should we say about cases where the two come apart, cases where, say, the socially authoritative view of some deed is “terrorist act,” but it is a massively unjust society, an apartheid state, say, and many agents want to count the act as the legitimate resistance of freedom fighters? There are two Hegelian things to say about this but they are both book-length topics (at least), so I can just mention them. First, Hegel’s picture of the conditions for such

²⁶ So no retrospective creation of intentions is at issue, and Laitinen (2004) is wrong to suggest that that might be an implication of what I am arguing.

successful execution of an intention presumes a social dependence that has objectively come to embody the right relation between such dependence and independence. That is, his account assumes such a realization of *mutually* recognitive attitudes among agents, not the continuation of some version of the Master–Slave dialectic. (In his terms, the philosophy of objective spirit presented in the *Encyclopedia* presumes the historical narrative that legitimates the claim to count distinctly modern institutions as the decisive (if still not fully complete) “realization of freedom.”) Secondly, Hegel wants to argue that in cases like the apartheid one, the unequal positions of the participants can be expected to result ultimately in the normative principles involved losing their hold, creating a kind of crisis, requiring incompatible and so untenable commitments over time, that unreason manifests itself in a unique kind of human suffering, visible in examples that range from Antigone, to Rameau’s nephew, to the beautiful soul. It is part of the task of the *Phenomenology* to demonstrate this ambitious claim, but I cannot pursue that track in this context.

IV

We are a bit more familiar now with at least the form of the claim that what one might be tempted to count as a determinate, privately owned mental content could be imagined to have a different content merely on condition of altering some external, especially social conditions (from Putnam on water to Burge on arthritis). But the intuitive implications are still odd-sounding. We can put this point in the terms Hegel uses in both the *Encyclopedia* and *Phenomenology* versions of this claim. If I start out to write a poem, I might find that it does not go as I expected, and think that this is because the material resists my execution, my inner poem, and so what I get is a “poorly expressed poem.” On Hegel’s account, this is a very misleading picture. The poem is a perfect expression of what your intention – your resolve to write a certain sort of poem and your conception of such a project – *turned out to be*. To ask for a better poem is to ask for another one, for the formation and execution of another, better plan. If the poem failed, everything has failed. It (the expression of what has turned out to be the intended poem) *just turned out to be a bad poem – not a bad expression of a good poem*. As Nietzsche always insisted, our egos are wedded to the latter account; but the former correctly expresses what happened.²⁷

²⁷ I mean §13 and the discussion of the “lightning flash” simile in Nietzsche (1988). I try to show the similarities between Hegel and Nietzsche on this point in Pippin (2005d). For Hegel’s appeal to

Even more colloquially, when Marlon Brando's character says to his brother in *On the Waterfront*: "I could have been somebody, a contender," a Hegelian brother might have said: "You *are* somebody. The somebody who wasted his boxing talent by listening to me and taking a fall for a pay off. You have become wholly, explicitly, what you were implicitly. You may regret that you are (were) not someone else, especially not the person you thought you were, but you *have become* the person you are."²⁸ (Of course the brother's *saying* this has its own "conversational implicature." One would suspect that he is using existentialist rhetoric to excuse his own role, to appeal to his own good intentions as exculpatory. In the actual movie, the Rod Steiger character *is* very much like this.)

While there is a fairly standard sense in which you can be said to learn later aspects of what you intended to do that you did not know *ex ante* – as when you learn later that doing *X* unavoidably requires doing *Y* – the sense of revelation (often of self-deceit) and even surprise stressed by Hegel goes far beyond that. Correspondingly, he is not here just pointing to cases where a complex plan of action requires alterations in what had been planned as effective means, cases where one can say the basic intention remains constant or is reformulated in response to empirical discoveries and new, unexpected turns of events. There is nothing in any of the passages that indicates that Hegel wants to challenge any such commonsensical qualification on "what I intended." When Hegel says that it is the public deed that realizes and reveals what you intended, he leaves open the possibility that you may have been ignorant of what that gesture or expression would mean in this context, may have been ignorant of what was necessary to realize the intention, how much more difficult than intended it turned out to be, and so on, and so in such cases you really did *intend* something that was *not realized*. What he is most interested in are not cases where ignorance of various relevant facts, or unforeseeable contingencies explain why what was done ends up not being what was intended, but cases where I find out that, while I sincerely

the art/expression example, see §140 of the *Encyclopedia* (EL, 274; EnL, 197), a passage that expresses some of his strongest reservations about the inappropriate reliance on a subject's intentions both to explain and to judge an action.

²⁸ In discussing and confirming the intentionalist fallacy in art (a position similar to the intentionalist theory of action I am describing and its fallacy), Stanley Cavell writes: "Because in what I have been urging, this alternative between 'what is intended' and 'what is there' is just what is being questioned. Intention is no more an efficient cause of an object of art than it is of a human action; in both cases it is a way of understanding the thing done, or describing what happens" (Cavell 1976, p. 230).

tell myself that I intend to achieve *Y*, I come to see that such an intention was “empty,” cannot really count as my intention.²⁹

V

But such formulations at least make it easy now to raise three natural counter-intuitions (among many others), all of which suggest that Hegel's position is extreme, too radically undermines our intuitions about action and responsibility. We might be willing to admit the irritating frequency of the “But I Didn't Mean To . . .” dodge used by agents to excuse themselves, the retreat to the inner citadel. “I honestly didn't mean to insult you by saying you were a coward and a fool; I *meant* to speak the truth to a good friend, to help you, and I hope you take it in that light.” And so forth. And we might be willing to accept the philosophical point that while we can't identify the deed apart from a description that refers to the intention, such intentions are often indeterminate, provisional, flexible, change “on the fly” as we carry out an action, all altering our sense of what we are doing and what end we are really seeking, and all making implausible any belief–desire, causal model of action, with separable fixed intentions as causes.³⁰ But we would like to be able to back away somehow sometimes from what actually happens, to insist that what ended up happening, and especially what was understood by others to have happened, cannot always be traced back wholly to me, that I can't be said to be fully expressed in some deeds, and that “what I sincerely

²⁹ See Cavell (1976), p. 230, on the case of *La Strada* and whether Fellini can be said to have “intended” the allusion to the Philomel myth.

³⁰ Searle (2001) has presented a classic voluntarist alternative to the account sketched here. He argues effectively against the causal or “standard” empiricist model by showing in various ways that, except in very unusual cases like addiction, my desires cannot be said to cause what I do. I bring about the action not the desires or pro-attitudes. But Searle takes this to mean that the causal agency of such decisions requires what he calls “gaps” everywhere. There is a gap between inclinations, desires and so forth, and my forming the intention to do *X*. There is a “gap” between having formed the intention and beginning to carry it out. (I can form the intention sincerely and yet still hesitate to begin to act; I must in some independent sense “resolve” to act and begin.) And, most importantly for Hegel's account, Searle insists that there must be a constant gap between the onset of the action and the continuing attempt to achieve a goal; there must be a continuing “resolve” throughout the course of the attempt. I don't see what we gain from moving from an inappropriate third-person perspective on the causal efficacy of desires to mysterious gaps, gaps which, compatibilists have always complained, make the explanation of the action, and my experience of its links with me, obscure. Searle's account is clearly oriented from a deep commitment to the phenomenon of weakness of the will, and he has rightly demonstrated what “gappy” assumptions would be necessary to defend that possibility. From the perspective defended here, though, that demonstration amounts to a *reductio* of the putative “weakness of the will” phenomenon.

intended" is a plausible defense against such imputations. Even in the sorts of cases that Hegel is interested in, we want to say that I can have intentions that fail to be executed (in just the sense Hegel is focusing on) even though they still count *prima facie* or provisionally as "my intentions." We even think we can say in all honesty: "I truly intend to be polite to him tomorrow, but I know I won't be"; although that comes closer to the whining self-exculpation Hegel objects to. The failure-to-be-executed example is especially relevant when some unforeseeable contingency intervenes, altering the result in some way that could not have been reasonably foreseen. (In a case where I sincerely intend to do someone some good and set out to, but unexpectedly what I do ends up greatly harming the person, must I say that this "actuality" reveals that my *true intention* was to harm the person? Of course not. There *are* Freudian cases where this might be true, but all Hegel needs here is a distinction between what I did and what happened because of me that does not beg all the questions he wants to raise against the intentionalist or voluntarist account, and as we have seen, he concedes freely the difference between a *Handlung* and a *Tat*.³¹) It will be important to distinguish (for Hegel; he never devotes much space to these distinctions) between obvious cases where what I brought about does not reveal my intention from cases where it reveals an intention denied or in some way avoided by an agent.

And some of the formulations about how the intention can only be detected in the deed, proven in the deed, confirmed by the actual deed, and so forth, seem to suggest something like a verificationist position (the equation, perhaps as a matter of meaning, of the means for determining what something is, with that thing itself), all with its usual problems. In this case, while it might be true that the very best *means* we have for objectively establishing what someone was intending to do, what goal he is after, would be to see what he actually did, those means might still be quite inadequate, however better than any other. They might give us the only picture of what appeal to an inner intention could amount to, but they might at the same time give a very fuzzy, distorted picture.³²

And, finally, to return to another distinction like the first one above, don't we want to be able to say that I really and truly intended to pursue *X*, found that it was too hard, that I was weak in my resolve, and so went

³¹ In Hegel's terms, though, if I haven't actually done something to help the person, perhaps because of stupidity or limited information, we still must say that we do not yet know what your intentions are (were), what you would do were you to realize what *is* necessary to help your friend.

³² Cf. Anscombe, (2000), p. 8.

after *Y* instead? On Hegel's account it seems we have to say that you discover in pursuing *X* what your true intention was, that it was not really to pursue *X*, but "to pursue *X* until level of difficulty *A* was reached, and then to switch to *Y*." Yet, as noted, we seem to want intuitively to maintain the notion of a genuine intention, a weak will and wavering resolve (and so agent regret that one did not do what one truly intended to do), and this would appear to be incompatible with Hegel's speculative "identification" of the inner with the deed, the outer.

Most of these counter-intuitions stem from the same issue raised briefly above: how to explain cases where I did not do what, in my own view of the matter, I intended to do. Our common-sense intuitions about the non-obvious cases suggest that the right account is: I *did* intend the deed, but because of weakness of will, I failed to do so. Hegel's preferred account is: I discovered that I had not in fact resolved to act, at least not with the degree of commitment I assumed. Such a putative resolution must be "tested" to count as a genuine commitment, and I failed such a test. Hegel's notion of the will is simply practical reason, and so his position is more Socratic – there is no weakness of the will. There is only, ignorance, self-deceit and self-discovery.

VI

All these counter-intuitions (intervening contingencies, verificationist worries, and weakness of will concerns) have something to do with whether Hegel can make any clearer what he means by such an *inner*–outer speculative "identity" claim, whether he can especially preserve some intuitive sense of the "inner" in this claim. What would it mean *not* to separate clumsily inner intention as cause and external deed as effect, and yet not wholly to absorb the former into the latter? (And all of this is not yet to mention the considerations advanced in the first part of this discussion: that what Hegel means by "inner" is not intended to localize such possible grounds for acting in isolatable mental states, but also means to tie what becomes salient for an agent to the actualities of the social world in which he or she lives and not simply to the results of individual, reflective deliberation.) What would it mean, given all we have seen about inseparability, to remain true to the "thought that what a human being does should be considered not in its immediacy, but only as mediated through his inwardness [*Innerness*] and as a manifestation of that inwardness" (EL, 234; EnL, 164, translation altered)? (And this insistence on what Hegel calls the "right of intention," my right to have attributed

to me only a limited range of the things that happen, where that range is essentially determined by my subjective take on what I intend to do, could be multiplied. All of this is so even if "my subjective take" cannot refer to temporally prior already determinate intentions, conceived as states causally responsible for actions.)

So before turning to the counter-intuitions as such, we need to note that it is precisely this subjective side of things that Hegel most emphasizes in the *Moralität* section of *The Philosophy of Right*. That is, as already noted, it is here that Hegel most clearly recognizes that there is a difference between an action, "*Handlung*," a deed that can be attributed to me, and a mere deed, "*Tat*," something that happened because of me (especially something I may have done voluntarily but not knowingly), but which cannot be attributed to me as something for which I bear responsibility or *Schuld*. (See RP, 218–219; PR, 145–146.) Further, this discussion also clearly shows that Hegel freely concedes that in the execution of some plan, any number of unforeseen and genuinely unforeseeable contingencies may intervene, and what actually happens and what I intended may come apart, and Hegel clearly does not want to hold me accountable, as if this outer contingent event necessarily manifested what I truly, in fact, intended.

That is, as we have already seen, in passages cited previously about the "speculative identity" of inner and outer, Hegel has no intention of *collapsing* inner into outer. That would be in his terms a non-speculative identity claim.³³ That is, "Now in this lies the correct thought that what a human being does should be considered not in its immediacy, but only as mediated through his inwardness [*Innere*] and as a manifestation of that inwardness." More broadly, this subjective dimension is what Hegel calls "the right of the subject to find its satisfaction in its action" (RP, 229; PR, 149). This principle is of the utmost importance in Hegel's philosophy, since it amounts to his interpretation of the philosophical significance of Christianity, and therewith it is the foundation for his whole theory of the modern world. So, most famously, for the Greeks, "customs and habits are the form in which the right is willed and done" (VPG 308; PH, 252, translation altered), and "we may assert" of the Greeks "that they had no conscience; the habit of living for their fatherland without further

³³ For reasons given in this section, and in light of the quotations cited, I think Forster goes much too far when he characterizes Hegel's position on action as "physicalism" or "behaviorism," although he rightly notes Hegel's debt to Herder in this section of *The Phenomenology of Spirit*. See Forster (1998), pp. 97, 335–8.

reflection was the principle dominant among them" (VPG 309; PH, 253, translation altered),³⁴ and therefore Greek ethical life "is not yet absolutely free and not yet completed out of itself, not yet stimulated by itself" (VPG 293; PH, 238, translation altered).

It is this dimension of action, what the subject takes himself to be doing and why he considers that he ought to act in such a way, that Hegel calls the "subjectivity that makes up the determinateness of the concept of right," and so establishes what he calls the Standpoint or Sphere of Morality. In a way typical of Hegel, he clearly wants to do justice to this element of actions (as opposed to mere events), and to try to understand the normative significance of attention to this (partial but still crucial) aspect in our evaluation of action. Within certain conditions, a moral standpoint, a heightened attention to the subject's view of what she is doing, is appropriate and required. These conditions include the very general and broad entitlement of all to be treated with the dignity appropriate to free beings, beings *with such an inner life*, their own "right of subjectivity" (we ought not to murder or rob anyone for our own gain, whether that person is a member of our *Sittlichkeit* or not; we are not entitled to ignore their claim to lead their own life as they determine it should be led). And the conditions under which such considerations ought to be attended to also include certain objective historical conditions. That is, by contrast with the usual claims for the priority of a common ethical life and one's social roles within it, "in periods when the historical actuality amounts to a spiritless and rudderless existence, the individual is justified in fleeing from this actuality into his inner life" (RP, 260; PR, 166–167). Of course Hegel also clearly wants to understand the limitations of this context and these conditions. This means understanding what goes on when this one dimension of a properly described action is over-emphasized or relied on too exclusively, as in both his famous appeals to and yet intense criticism of the rule of conscience, "*Gewissen*." (Already in the Addition to §108, he had noted the limitations of an *exclusively* moral standpoint (RP, 207; PR, 137);³⁵ in §121 he reminds us not to forget the true identity of "human self-consciousness" and "the objectivity of the deed" (RP, 229; PR, 150), and in §124 he both

³⁴ See also Hegel's handwritten notes to §147 of *The Philosophy of Right*, where Hegel again says (astonishingly given characters like, say, Orestes) that "the Greeks had no conscience" (VPR, 2:553).

³⁵ "Das Selbstbestimmen ist in der Moralität als die reine Unruhe und Tätigkeit zu denken, die noch zu keinem *was ist* kommen kann. Erst im Sittlichem ist der Wille identisch mit dem Begriff des Willens und hat nur diesen zu seinem Inhalte" (RP, 207; PR, 137).

repeats the *Phenomenology's* doctrine and alternate emphasis – “what the subject is, is the series of his actions,” and refers us directly to that book (RP, 233; PR, 151). In fact, read carefully, throughout *Moralität*, Hegel is constantly reminding his audience not to think that the *content* of the intention, however important and ineliminable such a subjective attitude is, can be determined apart from reliance on what was actually manifested in the public social world.)

Hegel then proceeds to spell out the dimensions of this indispensable but still limited point of view, the moral point of view on agency. I have the “moral right” to expect that an action be attributed to me (that I be deemed “responsible”) only in so far as “one recognizes as the existence of this moral will only what amounts inwardly to a purpose” (RP, 214; PR, 141, translation modified). And he goes on to analyze the relation between purpose and responsibility, Intention and Welfare, and the Good and Conscience. (I don’t have the space to follow him into this particular jungle, but Hegel’s position can be very easily misunderstood if this distinction between a genuine action and something merely done by me is not stressed. We all know that a coerced action should not be counted as a proper action of mine; it is not even done voluntarily, much less intentionally, even if I, technically, produced it. If we live in an extremely repressive society, we might also discount an agent’s degree of responsibility, concede that his public actions may not reflect his true “inner” commitments because the public world is objectively such that he is not allowed such genuine expression. On Hegel’s account, however, it must also be said that an agent denied such scope for expression may not ever be able to know the “truth” of his subjectively “certain” view of what his commitments/intentions are. Like many of us, he must live in a state of suspension about whether he is actually the potential hero he might take himself to be. But our intuitions can then waver on this point. Direct coercion is one thing and is clearly exculpatory; harsh repression and expected penalties are another and clearly diminish the degree of responsibility; mere social discomfort yet another, until we reach what is simply the unavoidable cost of integrity, when the lack of fit between avowed intentions and action must count as evidence that the avowed commitments are mere wishful fantasies, not intentions exogenously denied expression.)

But I should also note one of Hegel’s most important and controversial claims – both the priority and superiority of the standpoint of “ethical life” to that of either “abstract right” or “morality.” That would also obviously be an independent discussion, and I deal with some aspects of it

in chapter 9. What I have tried to emphasize is that nothing in Hegel's treatment of the moral standpoint suggests any tension with the *Phenomenology's* position on the impossibility of "separating" "inner" from "outer" in understanding a deed. The *Moralität* chapter certainly cannot be used as an independent discussion of "Hegel's theory of agency."³⁶ If it were, Hegel's position would be misunderstood. Hegel is certainly conceding that it does not "correspond to right" to attribute a deed and an intention to someone on the basis simply of what happens and a person's causal role in bringing it about. The moral insistence on the right of knowledge, the right of the "satisfaction of subjectivity" (*Befriedigung der Subjektivität*), and so forth, must be accepted, and that means qualifying both the act-description and the attribution of responsibility in the light of the "mediation of the inner." But there is no tension between the *Phenomenology* account and *The Philosophy of Right*, because Hegel is clearly separating two distinct questions: what role should the expressions of intention (and an agent's act-description) play in a final determination of what was done and who was responsible and to what extent, and, secondly, how can we determine the content of any such intention? The latter involves not only the interpretive task of knowing what doing this or that would mean in our community, but how to understand the relation between what you actually did, and what was thereby expressed as your real intention, regardless of your own avowals. These are obviously not easy tasks and they are subject to much abuse.

If this is correct, it means that something like the presence of the subject in the deed must be understood carefully in order to grasp Hegel's full position. Obviously in this account, sustaining a purposeful activity over time, reacting in ways considered appropriate to obstacles, challenges, unforeseen circumstances, etc. is being treated here as a norm-bound or rule-following activity. Individuals are not formulating intentions (in consideration of such norms) in some solipsistic way, and they are clearly circumscribed in such formulations by a variety of social conventions, proprieties, and so forth. One aspect of the successful execution of an intention has to involve having attributed to you by others the intention that you take yourself to have, and, given the role of the intention in any act-description, by an agreement about what it is you did.³⁷ And this

³⁶ This is my disagreement with Quante (1993).

³⁷ By "successful" here I mean more than that various events actually occurred that an individual can interpret as consistent with and corresponding to that individual's "take" on what ought to happen and what was intended. If this description and ascription are wildly at odds with the way the act is acknowledged and responded to, we approach an alienation that borders on schizophrenia.

criterion presupposes, as the execution of intention unfolds over time, an intentionally sustained sensitivity to such shared understanding and normative appropriateness. You may intend to signal in a meeting that you wish to speak and so raise your hand. But if in that society, raising one's hand expresses that one is communing with one's ancestors and wishes to be left alone, then you did not signal anything and so cannot be said to have realized the intention of signaling. (If an intention is a subjective resolution that can be manifested in a deed, then you cannot successfully intend what cannot be expressed in a deed in that context, although you can imagine what it would be to realize such an expression and in a self-deluded fantasy take yourself to have done so. But you cannot *intend* to become Napoleon. You cannot intend to float three feet in the air, and then blame gravity for thwarting what you truly intended.)³⁸ And as these passages about the right of subjectivity indicate, *you* also cannot be said to have "actually" manifested a communion with your ancestors. (You didn't know that such a gesture would mean that in such a context.) Or so Hegel wants his inner-outer dialectic to work.

Put one final way, Hegel is clearly embracing the common-sense position that intentions matter a great deal in what may be properly attributable to another as his or her deed and in our evaluations. And he has no problem with the view that such intentions could be beliefs about what outcome will occur if an agent acts a certain way, desires about what outcomes should occur, and perhaps even desire-independent beliefs about what ought to occur. But within the fabulations and fantasies and wish-fulfillments of daily life, we often do not know what we really believe and desire in any of these senses, and won't really know until called on to act.

VII

I turn now to the counter-intuitions as a final attempt to reach this last underlying question about the subject. First Hegel himself notes the "intervening contingencies" problem, the reasonable excuse that some deed does not reflect or express me because something wholly unforeseen and unforeseeable intervened, could not have been part of what was intended. What ended up happening was not "what I intended." "Fortune (*Glück*),"

³⁸ Again, this is a potentially confusing aspect of Hegel's position. A person can certainly take herself to have formulated and to be acting on the intention to become Napoleon. But because there is nothing she could do to realize such an intention, she can't actually have intended it.

Hegel notes, “decides as well in favor of an ill-disposed purpose and an ill-chosen means, as against them” (PhG, 222; PhS, 245).³⁹ He goes on to make clear that he is anticipating the distinction in *The Philosophy of Right* between “what happens” because of me and what can still be said to be my deed. If I am pitching a ball and a great gust of wind suddenly drives the ball inside and it hits you in the head and you die, I did not kill you, even though you died as a result of an action I initiated. What happens no longer can count as a “work” or expression of mine in any sense, neither *Handlung* nor *Tat*, but as something that happened to me, and of course, more importantly, to you. The connection with me, the “work” character vanishes. The same thing could be true of simple miscalculations: she intended to slap him gently, but she inadvertently slapped him hard. But then it (what happens inadvertently) no longer functions to excuse what I did (in respect to your dying I didn’t do anything); there was no “work” or deed of mine responsible, any more than if lightning had struck you as I pitched.⁴⁰

And there can still be ways to connect the deed with me if some of these contingencies were predictable, foreseeable.⁴¹ I can say I wanted (always want) to draw a perfect circle on the board, and that the limitations of material finitude prevented me from realizing my intention.

³⁹ See also §120Z of *The Philosophy of Right*: “actions in their external existence include contingent consequences” (RP, 225; PR, 148–149). See also his citation, at §119Z, of the proverb, “The stone belongs to the devil when it leaves the hand that threw it” (RP, 225; PR, 148).

⁴⁰ See §118 of *The Philosophy of Right*. Hegel here makes clear both that the action, once externalized, is “exposed to external forces which attach to it things very different from what it is for itself, and send it into remote and alien consequences,” and that this distinction does not require identifying my action with what I was strictly causally responsible for. He speaks instead of the action being “shifted,” “moved,” or “displaced,” “translated” (*versetzt*) into “external existence” (RP, 218; PR, 145). In the *Phenomenology*’s treatment of the same theme, Hegel admits that this possibility seems to set up an “antithesis” again between “willing” on the one (pure) hand and “achieving” on the other, just what he had been working to overcome (PhG, 222; PhS, 245). But he adds that nonetheless “the unity and necessity of the action are no less present too” (PhG, 222; PhS, 245). By the “necessity of the action” he means to re-assert that the completed deed *qua* deed can still be said at least partly, still to express “me,” even conceding this contingency. His explanation for this claim in his own terminology is not terribly clear, to say the least. He notes that the work itself (*qua* work of mine, he seems to mean) can be said to “vanish” under the press of these unforeseen contingencies, but he asserts that this “vanishing” is itself “actual and is bound up with the work and vanishes with it; the negative itself perishes along with the positive whose negative it is” (PhG, 222; PhS, 245). This claim is what is supposed to justify the re-assertion in the next paragraph of the fundamental “unity of consciousness with the action” (PhG, 222; PhS, 245). I think he is trying to say that in these unforeseen and unforeseeable intervening contingencies examples, the whole category of action (under the original description) is compromised, so the question of a qualification on an action also “vanished.” There is no “ball striking the head” or “slapping you hard” action.

⁴¹ “Foreseeability” is playing a role in the treatment of this in §118Z of *The Philosophy of Right* (RP, 222; PR, 146).

But how in the world could you have really formulated and acted on such an intention, given even minimal knowledge about, say "folk physics"? The deed and facts about the world show that you could have only intended to draw the best circle you could.⁴² You cannot intend consequences beyond your control. You may intend to write the novel that changes American literature and, lo and behold, that may happen. But that happening cannot be said to be a *deed* done by you; what you did was write the novel. (In excuses I try to minimize my involvement by pointing to my limited intention. One can also try to extend the scope of what I did to include more of what happened than is warranted. And sometimes it is hard to say just what the deed displays, how one could even retrospectively determine the true intention and so delimit what may be attributed. There is no methodological way to resolve such questions but Hegel clearly thinks the best place to look in trying to resolve at least the inner question is to what else such an agents does.)

And furthermore, Hegel means to insist yet again on the merely *provisional* character of an agent's initial formulation of an intention, the fact that he must "learn from the deed, the developed nature of what [one] actually did." Only on a picture of a separate, already determinate, causally efficacious "intention" would it appear paradoxical to concede unforeseen contingencies and yet to insist on the continuing possibility of some identity between intention and what is actually expressed in the deed. "What I truly intended" can always only be formulated in a highly provisional, and temporally quite sensitive ways. Its content becomes determinate only in the course of an experience over time, as it unfolds in what is now called "intention in action,"⁴³ and "what I intended to do" *turns out* to be "what I intended to do, *modulo* an unavoidable indeterminacy in the specification of the act's and so the intention's content." This is the concrete or actual intention that replaces the provisional formulation, and which remains fully expressed in the deed. As we have seen several times, Hegel is not denying that individually formulated intentions or resolutions are necessary conditions for something counting as an action, nor is he claiming that all such subjective "takes" on the matter amount to is the behavior itself. He is challenging the possibility of any *ex ante* determinate content for such intentions, and insisting on

⁴² Doesn't what is produced, what can only be produced, reveal the accepted qualification that must have been taken on board in intending to draw, despite whatever sincere protestations one might hear? ("Honest, coach, I never intended that curve ball to hang like that.")

⁴³ See Searle O'Shaughnessy (1991) and (2003), Searle (2001), pp. 44–5, and Hornsby on "Acting and Trying to Act," in Hornsby (1980), pp. 33–45.

the role of the actual deed and on some form of social dependence in ultimately fixing such a content.

This same point about provisionality and temporal extension also renders the verificationism worry irrelevant. That concern – that the intention may be different from what “our best means for revealing it” can make manifest – makes sense only if there is something like such a separate, originally determinate intention to “find,” such that its actual, observable manifestation might be incomplete or misleading. But there is no such hidden intention waiting to be found by some method.

This last point raises a large issue, though. Hegel’s main point about the “inseparability of inner and outer in actions” seems to be both epistemological and metaphysical. The only way to *determine* what you really committed yourself to doing is by means of the “test” of the deed itself. The only way to settle the question of what you in fact did requires an acknowledgement of the dependence of any such description on the conventions of the society and the time. You have not executed an intention successfully unless others attribute to you the deed and intention you attribute to yourself. But there is a larger metaphysical point underlying this as well. The question of the content of the intention and the question of its possibly functioning for an agent as a reason to act in Hegel’s account themselves require as the relevant ontological unit and so unit of explanation a much larger temporally and socially extended “field.” The fact that the content of the commitment comes to be what it is only as unfolding in a deed and as taken up by others is what requires the epistemological picture just noted.

And finally there is no particular reason to hold onto the notion of agent-regret as *guilt*, in the form suggested by the criticism, or to accept that the right account of an outcome other than the one I had originally intended is best accounted for by the notion of *weakness* of resolve, rather than by the surprising manifestation that my true intention, given *A*, or *B*, or *C* was really \emptyset , or that the degree of the commitment was not what was avowed. So disappointment that I was not who I thought I was, a kind of sadness at what in the end *was* expressed “in” the deed, might very well be a better account than the claim that I could have done otherwise. Indeed, the Hegelian regret is a kind that depends on my *not* really having had the option to do otherwise; or at least that counter-factual option, on this view, is like considering the possibility that *I might not have been me*, a fanciful and largely irrelevant speculation, a mere thought experiment. (Put another way, you can declare your intention in a way that turns out to be false without your having lied.)

One might wonder at this point whether it makes all that much of a difference whether one says that a provisionally formulated intention turns out not to have been an agent's actual, motivating intention, or that a formulated intention *was* an agent's intention but that he was too weak to carry it out. It matters a great deal to Hegel, because the alternate formulations assume very different notions of human mindedness. In the former case intentions are not separable from their realizations in action in the same way that our beliefs are not formulable except by responsiveness to truth. (Hegel's language in the *Phenomenology* is about the link, inseparability between certainty and truth.) Richard Moran has called this the "transparency condition" for beliefs.⁴⁴ In figuring out what to believe I am just thereby trying to figure out what is true; in reporting what my beliefs are, I am reporting what I take to be objectively true, not what a catalogue of mental items is. In expressing an intention I am expressing what action I mean to come about; if it doesn't come about – *modulo* the intervening contingencies problem – it turned out not to have been my intention, what I truly meant to come about. It would require pages more to nail this point down better, but Hegel's position amounts to a variation on Moore's paradox. Just as it is impossible to say "It's raining outside, but I don't believe it," it is in *that* sense impossible to say "I intend to be polite to him today, but I know that I just won't be able to bring myself to do it."

In sum, in some circumscribed sense Hegel wants to concede the force of what might be taken to be counter-instances but still to object to various exculpatory appeals to the inner citadel. While our intuitions about weakness of the will and genuinely existing inner, but unexpressed content, are powerful barriers to accepting his position, it is worth noting that there *are* common-sense intuitions that align with his position as well. When we hear something like: "I intended to do *X* and so did what I took to be *X*, and I don't care what everyone else thinks, that everyone else counts it as *Y*, or gives it value *Z*," our reactions can easily be "Hegelian." This is a case like Kate Croy in Henry James' *Wings of the Dove*, who insists to herself and her boyfriend that what they are doing is not "deceiving an heiress to get her money," but "helping her experience love in her dying days," that they "never intended to hurt anyone." Hegel is most definitely trying to undermine *this* as a possible account of "what they really did."⁴⁵

⁴⁴ Moran (2001).

⁴⁵ Nothing Hegel says, though, is meant to undermine the persistence of genuine tragedy in this sense. There *are* sometimes cases where what happens because of me outstrips my initial

We also easily concede that while the meaning of what one does (the event-description appropriate to it) can change over time, this is not necessarily parallel to or functionally related to, what may rightly be attributed to the agent as his deed. The meaning of Truman's dropping the second atomic bomb on Nagasaki will continue to change from later perspectives. But what Truman did has a fixed scope, set by his subjective take, the relevant act-description at the time, and what was reasonably foreseeable. And we tend to be Hegelians when we hear: "I just intended a joke, to give everyone a healthy scare, by yelling fire in the crowded theatre. It's not my fault the silly people panicked and trampled each other to death." Hegel is most definitely trying to undermine this as a possible account of "what you really intended and did."

Finally there might seem to be Hegelian-inspired excuses. "I did not know, could not have known, what I really intended in performing X, so you cannot hold me individually responsible, cannot attribute the deed to me." But this is sophistry and provides a good opportunity for re-iterating something important. As we have seen often, Hegel does not want to lose or eliminate as a critical factor in attributing a deed to an agent the subject's "take" on what is to be done and why (these are his objections to attributing "the murder of his father" to Oedipus). So there is always such a subjective dimension, an intention in anything that can count as a deed. But he objects to the claim that the *content* of that intention is fixed and determinate *ex ante*. Any original formulation is perforce provisional. Many times, most times, the executing of the deed plays out *as* intended and there is no problem. The deed is intentional under some description, and in such cases "intentional" means the subject takes there to be reasons to act in such a way and acts in the light of *those* reasons. But where the act-description and the corresponding intention, plan of action, etc., have to develop over time, Hegel speaks of such situations as often "tests" of a

understanding, but I still must own up to it; it can still be tied to me. But in any fuller discussion of Hegel on such tragedy, his position would have to be distinguished from that suggested by Bernard Williams – it would be simply "inhumane" in some way to "refuse" it, not to acknowledge it as mine. From Hegel's point of view, and given his criticism of Sophocles' *Oedipus the King*, that is still too much like some pollution claim, unmediated by subjectivity in any sense. Cf. Williams (1994). And it is not the same sense of tragic responsibility suggested by Cavell – the sense in which the artist is responsible for *everything* in the work, in what the work turns out to mean. "It is a terrible responsibility; very few men have the gift and patience and the singleness to shoulder it. But it is all the more terrible, when it is shouldered, not to appreciate it, to refuse to understand something meant so well" (Cavell 1976, p. 237). Hegel's view is more sensitive to the ways in which various differences in historical forms of life alter what seems reasonable or simply unavoidable to ascribe. Williams and Cavell write about this issue without much of this historical inflection. Cf. also the fine discussion in Hösle (1984).

kind with respect to whether you really will do what you provisionally intended. In these cases there still *is* a real intention; but it is only fully manifest in the deed, and *when* displayed, plays its critical role in attributing the deed (i.e. just some dimensions of the deed, not everything that happens) to the agent. The fact that the agent cannot really be sure that she will act as she consciously intends *ex ante* does not affect then, for Hegel, the attributability issue. The agent's cowardly self-deception cannot function as an excuse, and Hegel is not talking about unconscious intentions. Sooner or later if there is an actual deed, that reveals what the agent's intention was and what thereby can be attributed.⁴⁶

VIII

I turn finally, and too briefly, to an underlying issue: the right way to express the "persistence of subjectivity" in the account I have ascribed to Hegel. The subjective dimensions of Hegel's account of objective *Geist* that we have seen so far are not manifestations of individual beliefs readily available to conscious inspection, although they can be. They can just as well be, and mostly are, deeply implicit, habitual and largely unchallengeable. But they are not *wholly* unchallengeable, and so the clearest manifestations of the kind of subjectivity manifest in such commitments occur when Hegel discusses the actual or imminent breakdown of such proprieties, challenges within normative practices that cannot be resolved in terms of such norms. So Antigone does not just mindlessly "act out" the role of what a sister does. When that role must be integrated with the ethical life of the *polis*, when she is challenged on that basis, Antigone's being a sister has to become "a view" that she *holds* against other possible views, the prudence of Ismene, and the opposition of Creon. It would be easy to imagine a confused Antigone, absolutely certain she must do what a sister must, but bewildered by the opposition of Creon and the hesitance of Ismene, acting only "on faith." But this is not what Antigone's near-fanatical *assertion* of her role involves. So, it is in such moments of

⁴⁶ So, as noted, I can misreport my intention, state it falsely, without lying, but eventually the deed reveals what "of me" *is* in the deed and so what may be attributable. There are cases where an agent acts knowingly and voluntarily but not intentionally (I am, say, part of the means used by another in acting, and I knowingly allow myself to be so used without interfering but cannot be said to have signed onto the deed, as in the pump example at Anscombe 1971, pp. 37ff.), and this does raise complicated issues for Hegel. There are Eichmann-like or "I was only following orders"-like cases, but (I think) Hegel would still count most of those cases as intentional once the "knowing" aspect reaches a sufficient level that voluntary participation counts as signing on (Eichmann). But these can be tough cases.

crisis and breakdown that the character of these roles as commitments can come into view and can require addressing as norms. This doesn't mean that there is always available to subjects a kind of Socratic independence, that a form of "reflective endorsement" is always on offer in a way we can be said to be responsible for not taking up. The subjective and the objective are far more tightly linked than that in Hegel, and it is fair enough already to say that the emergence of such a dimension of subjectivity is itself, also, an essentially objective, historical phenomenon. (As is well known, Hegel treats Socrates himself as a manifestation of an *objective* crisis in the Greek *polis*.)

And we would need a consideration of any number of other examples in Hegel's attempt to form a typological and narrative account of such experiences of dissatisfaction, before his understanding of how this phenomenon of "negation," not finding any more that the external circumstances, roles, and events provide the reasons they once did, is supposed to work. That would require among other things a re-reading of the *Phenomenology* with such a question in mind, but at least we would then be on the way towards understanding a number of Hegel's most influential and important claims: that history (what has been done and what is expressed in what has been done) is not merely illustrative but essential in human self-knowledge; that the principles of a regime, perhaps its constitutional principles, are only provisional expressions of commitments, its actual commitments are expressed in what is actually done (the beginning here of "ideology critique"); the otherwise mysterious but much-cited claim by Hegel that we can only understand human doings and makings when they are over, that philosophy comes on the scene too late, that the Owl of Minerva takes flight only at dusk; and perhaps, above all, why Hegel finds both an ethics of intention and an ethics of consequences so one-sided and unsatisfactory,⁴⁷ and how he proposes to defend a concept of freedom that involves neither the inevitable unfolding of who one happens to be, nor the spontaneous initiation of who one wills to be.

IX

Finally, while the possible counters to Hegel's unusual position are almost endless, a last qualification is in order. I have argued that for Hegel there is a link between the possibility of one's own mindedness and a capacity

⁴⁷ See RP, 218–219; PR, 145–146. See also Bennett (1995).

for the public expression of such attitudes, where that means a capacity to be responsive to and capable of engaging what one understands to be how others will take up and respond to what one says and does, and a capacity for actions consistent with and flowing from such mindedness, and so being responsible for such a mindedness and for such actions. This latter is often a possibility created by the play of circumstances beyond one's control; very often it is a matter of seizing opportunities. We need a good deal more detail about the nature of this social responsiveness and coordination and chapters 7 and 8 will try to provide such detail with regard to Hegel's theory of recognition.

Knowing one's own mind, then, turns out to be "having a mind of one's own," which, in turn, must be wrested from others and protected in ways neither indifferent to nor submissive to the demands and interpretations of others, and it means a form of mindedness that one must also be able to express and act out, successfully "realize" in the world. But does this mean, one might ask, that one cannot be said to harbor "one's own" commitments, evaluations, attitudes, and preferences "first-personally," that one has no intention of ever acting on or avowing?

An adequate answer to such a question would have to be very sensitive to the description of the context of any orienting example. So many factors are at play that no general theoretical account of this link may be possible. But in the general example, this sort of enforced secrecy is just what would amount to a subject feeling alienated from her own self. Her being denied permission and opportunity to express and act on any preference or attitude of her own, whether self- or other-imposed, would amount to her having only a spectatorial perspective on her own life, merely observing her own history. Still, one might persist, surely there are examples of hypocrisy, where expressions say one thing and actions signal one thing, but an agent's first-personal or secret attitudes are quite clearly (for herself, in her own mind) different. But the point is that there must be *some* sort of expression, social responsiveness, and action in the world consistent with such attitudes for a description of the agent to be coherent (not that all expressions and actions must be). One can express trust for another and manifest in what one does what look like actions based on such trust while still profoundly mistrusting someone, but it would be paradoxical to the point of incoherence actually to entrust one's fate to another whom one actually mistrusted, rather than seeming to. Indeed, this fact is what is responsible for situations in which hypocrisy can be detected, and why those who suspect it often try to engineer just such "tests."

Finally, none of this denies that one's expressions and actions can come apart from what one genuinely takes to be one's attitudes, evaluations, and the like. But in such cases, all one needs to say here is that something has gone wrong, does not make sense, requires perhaps the assumption of an "unconscious" for it finally to make sense, and that concession (that something would not make sense in such a case) is all that is needed here.

PART III

Sociality

Hegelian sociality: recognitive status

I

The claim I propose to defend in this chapter is that Hegel's "theory of recognition" is intended as an answer to a specific question in his systematic philosophy. That question is the question of the nature and the very possibility of freedom.¹

This will be controversial for several reasons. For one thing, it has come to seem natural to treat recognitive attitudes of various kinds as desirable or good because of some overall (perhaps even scientifically supported) concept of psychic health, and to understand the failure to achieve such psychological flourishing as a social harm with some claim on our political institutions. If we think of recognition as Axel Honneth portrays it (in ways clearly inspired by Hegel), as relations of love, respect, and esteem, then we are on the way to treating misrecognition, the absence of such social goods, as a social harm, one that ought to be corrected in some way.² Treating Hegel's theory as about a key element in the realization of human freedom would be in line with this approach only if being-loved, being-respected and being-esteemed were necessary constituents of a free life, and I don't think that that is so, or that Hegel thought it was so. The issue for him is not in any conventional sense a psychological one, even primarily a matter of psychological harm.³ Secondly, as an interpretive issue, I want to treat Hegel's mature theory of

¹ I will throughout refer to Hegel's "theory of recognition," in the sense that we would today call it a theory. But Hegel's speculative position, and his claims about the radical interdependence of conceptual content, make this separation of topics slightly misleading, if still basically harmless. See Siep (1979), p. 301. Siep is also correct that Hegel understood himself to have clarified and resolved the great logical problems caused by the sort of relational claim implicit in a radical theory of the constitutive function of recognition (wherein the relata themselves, or agents, are ultimately also relational) in his account of "reflection" in particular and the "logic of essence" in general.

² Honneth (1996).

³ This is not to prejudice the question itself. There may be such psychological harm and it may count as a social wrong.

ethical life or the ethical community (*Sittlichkeit*) (the theory published as the account of "objective spirit" in the *Encyclopedias* and most familiarly in the lectures on the *Philosophy of Right*) as an extension of the original, or Jena-period theory of recognition, not its abandonment.⁴ A widely accepted view has it that while Hegel was originally interested in accounting for the nature and authority of social institutions, perhaps of all practical normativity, by appeal to a basic intersubjective encounter and the "realization" of such intersubjective links, he came later to abandon that view about intersubjectivity, and believed instead that human social and political existence were best understood and legitimated as manifestations of a grand metaphysical process, an Absolute Subject's manifestation of itself, or a Divine Mind's coming to self-consciousness.⁵ On this interpretation, what had been a competing modern theory about the nature of human sociality, a rival to Machiavellian and Hobbesian

⁴ Looking at matters this way will also make it possible to distinguish the Jena and post-Jena theories not as original, and then abandoned, theories of intersubjectivity, but as components of one theory with different emphases; first between genetic versus structural conditions of freedom (something that corresponds to what appears to be Hegel's own understanding of the issue, as at the Remark to §57 of *The Philosophy of Right* (RP, 123–125; PR, 86–88), and, secondly, between an initial stage of exploration, where the *desideratum* of mutual recognition is posed and explored, and the later discussions, where Hegel seems to have decided that forms of ethical life wherein we recognize each other *rationally*, where the terms of recognition are rationally grounded, satisfy the conditions for the achievement of free individuality and so provide the answer to the issues he was grappling with in his Jena period.

A relatively standard view of the stages of this development is that: (1) (a) the critique in the 1802 *Naturrecht* essay of the notion of "individual" presumed by the natural right tradition in its "empirical" (Hobbes, Locke) and "formal" (Kant, Fichte) versions, with a necessarily prior form of sociality largely assumed rather than argued for, and (b) the treatment of sociality as "natural" in the Aristotelian sense (the developmental issue here is treated more as the development of ethical and more self-conscious forms of sociality out of prior "natural forms"); (c) a strong emphasis on the risk of life as a marker for the kind of independence constitutive of freedom, within a community as well, as in the notions of bravery and willingness to sacrifice, and (d) the more favorable treatment of property and trading relations than in the classical context; (2) the *System of Sittlichkeit*, written just thereafter in 1802, where the influence of Fichte and a profound disagreement with Hobbes led to an approach where *social conflict over recognition*, especially as an explanation of the meaning of crime, and as leading to attempted resolutions of social struggle understood in such recognitional terms, replaced a reliance on natural development in an account of a true ethical totality (where, according to Honneth, "communicative interaction" can even be said to replace natural forms of sociality as the central element of *Geist*, cf. the argument in chapter Two of Honneth (1996), and contrast "Hegel's Criticism of Natural Law Theory," in Riedel (1984), pp. 76–194); then (3) the decisive turning point (according to Wildt (1982), pp. 325ff., and Siep (1974a), pp. 155ff.), and Honneth (1996) in the 1803/4 fragments of a philosophy of spirit, where we see the beginning of the mature theory, with *Geist* (and so sociality) now explicitly the "other" of nature, and any putative "development" of *Geist* to be explained by a *self*-formative, self-educative, "non-natural" process.

⁵ Versions of such a claim can be found in Habermas (1973) and (1987), Theunissen (1982), Höslé (1987a), Honneth (1996), *inter alia*. Williams (1997) also opposes the developmental or abandonment interpretation, but for reasons different than those presented here.

attempts to understand how and why persons forge the links of dependence and authority that they do and must, and so a rival account of an original dependence tied to the problem of recognition, status, esteem, and solidarity, not fear, power, and security, became instead a conservative, organic theory, with individuals mere accidents of “the truly real” ethical substance manifesting itself in time, and with no central role any more to intersubjective experience. I think that this interpretation is insufficiently attentive to the unusual foundations of the mature theory of ethical life, or to Hegel’s theory of spirit (*Geist*) and so the very unusual account of freedom that position justifies. Once the latter is in view, I want to show, it is much easier to see how the ethical life theory is an account of successful recognition, or a mutuality based on a kind of rational acknowledgment.

Third, the claim is controversial because defending that proposition will involve the claim that the theory of recognition is not to be primarily understood (as it often is in post-war Hegel scholarship) as a comprehensive transcendental theory about self-awareness, as if about the possibility of *any* self-relation (as if the contents of any such self-relation are and must be “internalizations” of ways of being-regarded by others), is not primarily a genetic theory about the formation of ego or social identity, and is not directly a normative theory of institutions or social justice.⁶ It is true that one can say that, according to Hegel, a certain form of social relation (recognizing and being-recognized) is a “condition for the possibility of true individuality,” but all the work in that claim is being done by “true” (or “concrete”) individuality (*Einzelheit*) and that theme in Hegel should not be confused with questions of pre-reflexive self-familiarity, self-knowledge, existential uniqueness, personal identity, psychological health,

⁶ So that debates about the “originality” or non-originality of self-conscious subjectivity, like those between Henrich and Habermas, for example, do not touch on the real desiderata of Hegel’s theory, however important and interesting the issue itself may be. The confusion in such debates stems, I want to claim, from an imprecision about the desiderata of “the theory of recognition” and without more precision, it is very hard to assess such debates. See Dews (1995) for a very valuable summary and analysis of the Henrich–Habermas debate and related issues.

One brief example of the claim I am making: in one of Manfred Frank’s attacks on what he calls this “a priori inter-subjectivism,” he identifies *all* of the following as what such a “theory,” supposedly, is trying to show is secondary or dependent on intersubjectivity: *Subjekt, Ich-Perspektive, Selbstverständnis, Selbstbeziehung, Selbstbewusstsein, Person* (in the moral, Kantian sense) and *Das Selbst, and Ego*. If all of these dimensions of subjectivity are to be at issue at once, there is no reason to refute such an inter-subjectivity theory, since it couldn’t possibly be claiming anything coherent. Cf. Frank (1991). My thesis in this chapter is that there is no justification for inferring from Hegel’s thesis about the priority of like-mindedness in the realization of freedom that he wishes to defend a reductionist claim about subjectivity. When we see *what* such sociality is supposed to be prior to, and why, that suspicion should evaporate.

and so forth. A *true individual* is a *free* subject and recognition relations function in a complex way as conditions for that possibility.

If such an interpretation turns out to be plausible, then the main philosophical question at issue is a simple one that has showed up before: why does Hegel think a subject cannot be free alone (a question distinct from the practical question of the cooperative conditions for the successful exercise and protection of freedom); especially, why does he think that subjects cannot be free unless recognized by others in a certain way, and what is involved in such recognition? Can't I be free whether or not anyone else notices, acknowledges me, assists me, expresses solidarity with me, etc.? Isn't someone's status as a person some sort of fact of the matter or an objective capacity that ought to be properly taken into account in some way (acknowledged, respected, etc.), and doesn't it get everything backwards to suggest that they have such a status by being recognized?

II

If freedom is to be the issue then there are, as we have already seen, some very general peculiarities about Hegel's understanding of freedom, and we need to have all these in view. There are, summarizing the preceding discussion, four such peculiarities.

First, Hegel does not defend a voluntarist position on the nature of freedom. Although in many ways a Christian philosopher, on this issue his sympathies are all with pre-Christian (Aristotle) or non-Christian (Spinoza) philosophers. He does not understand being free to be an individual's possession of a causal power to initiate action by an act of will in some way independent of antecedent causal conditions.⁷ Instead, freedom is understood by Hegel to involve a certain sort of self-relation and a certain sort of relation to others; it is constituted by being in a certain self-regarding and a certain sort of mutually related state. Such states are active, involve deeds and practices, but are understood to be free by being undertaken in certain ways, not by having special causal conditions. (A standard formulation: "Thus spirit is purely with itself and hence free. For freedom is this: to be with oneself in the other" (EL, 84).)

Although our modern intuitions about individual responsibility and blame seem inextricably linked with a "could-have-done-otherwise,"

⁷ Being free does not involve the possession of such a capacity and in fact, does not involve any special sort of causality at all. (Cf. Wolff 1992 on the categorial problems in the nature-spirit relation according to Hegel.) See also Quante (1997) for a valuable discussion.

“special causality” voluntarism, Hegel proposes a general desideratum for any theory of freedom that, according to him, this state or non-alienation theory better fulfills. If the question concerns the conditions that must be satisfied such that my various deeds and projects could be, and could be experienced by me as being, my deeds and projects, then we are in some trouble if the only way to establish this link is under the condition that I can exempt myself from the great weight of prior dependencies and socialization and nature and determine by an individual act of pure willing that some deed occur. (Or at least, I assume here for the sake of argument that it is highly implausible that there is such a “liberty of indifference,” to use Hume’s term, and that it doesn’t help much to say that this almost completely implausible picture of human agency is a practical assumption we must nevertheless make or don’t know how to avoid in holding others to account.) But how exactly to establish such a connection otherwise, how to link such deeds and projects with me such that they count as mine and are thereby instances of freedom is all not easy to see once one gives up this voluntarism and takes seriously the standard modern worries about compatibilism (worries that not a different form of freedom is being defended, but no freedom). The solution according to Hegel is supposed to lie in the form of this self–other relation, in recognition. Being *in* that relation, I will have thereby achieved the right relation to my own deeds, such that the general condition is satisfied.

Secondly, although such a state can be said to have various incarnations and especially degrees, its ultimate and fullest expression involves a further condition unequivocally insisted on by Hegel, but often neglected in standard interpretations.⁸ This state is defined as a rational self- and other-relation, and thereby, because rational or universal, counts as being free, the product of reason and not a matter of being pushed and pulled by contingent desires or external pressure, or of merely strategically responding to such pushes and pulls.⁹

The third point is a brief historical note. As we have already started to see, the direction of such claims is pointing towards some position

⁸ As in the influential neo-Aristotelian accounts of commentators like Ritter and Ilting, rightly dubbed “Unterwerfungsphilosophie” by Marquard (1973), pp. 37ff. The counter-movement, the attempt to show that Hegel was trying to extend and better support the notion of moral autonomy (as a kind of rationality) is due mainly to Dieter Henrich’s articles, and has been extended in exemplary fashion by Wildt (1982), pp. 28ff.

⁹ Admittedly, there is no compelling, *prima facie* reason why being in such a state, however valuable or wonderful it might be, should count as being *free*. Hegel must show that to be the case, and tries to do so by trading on our sense that I have acted freely if I can “identify” with my activities and projects, if they are and can be experienced by me, as being mine.

wherein the exercise of whatever legislative and executive capacities count as freedom are (a) not original, or not properties, in some matter-of-fact or metaphysical sense, of a kind of substance, but (b) constituted by social interactions and mutual commitments among subjects developed over time within a social community. As already noted, the story of why Hegel believes this involves primarily his early appropriation of many themes developed in Fichte's 1796 *Grundlage des Naturrechts*. That long story has mainly to do with the root idea that I come to develop a different relation to my own desires and interests when not only physically hindered by that other in the satisfaction of my desires but "challenged," as Fichte puts it, or "summoned" by an other who *rejects*, does not just stand in the way of, my implicit claims to a piece of the earth. That sort of challenge is said to turn my own relation to my deeds into a claim, not just an enactment of a desire; this is so because my own pursuit of my desires turns into, must now be counted as in this social situation, a demand on the other as well. It is, on my side also, a rejection of that other's entitlement and not just a hindrance. The conclusion that Fichte draws from these observations is dramatic:

the concept of individuality is a reciprocal concept, can exist in a rational being only if it is posited as completed by another rational being . . . is never mine, rather it is mine and his, his and mine; it is a shared concept within which two consciousness are unified in one. (G, 47; FNR, 45)

And even, "the human being . . . becomes a human being only among human beings" (G, 37; FNR, 39).

In Fichte this eventually leads to a state of mutually accepted coercion, a quasi-Hobbesian realization that I cannot make such a claim to secure use (i.e. cannot make such a normative claim, as it must be after the challenge) without accepting its universal relevance in like circumstances for each, and this in Fichte's account justifies mutual "negative" restrictions on freedom. As we shall see, Hegel's case goes far beyond the issue of rights protection and counts all normative claims as presupposing claims of, attempts at, mutuality of recognition, but his intuition follows Fichte's throughout: to wit, that this can all look like a strategic compromise with the existence of the will of others, and so like a partial subjection of my freedom to the will of others, but that it looks so only under the false assumption that there could be anything like an individually free will apart from that social challenge and response. Rather the latter is the original condition of free agency itself, a social relation without which my relation to my own deeds could not be conceived as

free, and so a form of dependence in which independence is achieved, not compromised.

Somewhat surprisingly, this direction is also like that suggested by Kant in his *Doctrine of Right*. What makes the state of nature unacceptable in Kant's presentation is not so much that individuals cannot properly secure what is "mine" against what is "yours" (and so the argument for the legitimacy of the state does not rest on a proposal to solve a cooperative or strategic interaction problem) but rests on the fact that there is no way to establish in such a state anything more than a merely provisional distinction between mine and yours. Kant argues that this would mean that persons *de facto* capable of establishing intelligible relations with each other (*possessio noumenon*) would be acting as if this capacity did not exist, would be in effect conceding the authority of mere contingent force to establish such a distinction.¹⁰ This is not the same as arguing that mine and yours or that the very boundary between free persons, must count as achieved social statuses, but the form of the argument, like the passages from Fichte, suggests the direction of Hegel's account.

Fourth and finally, while Hegel is rejecting the notion of any causal or causal power account of freedom, we should not go too far in any objective or social theory of freedom. There must of course still be a relation between my individual views of what I will or should do, my intentions and reasons, and the actual action. It is as obvious to Hegel as to anyone else that I can have various reflective attitudes towards what I should do, or about what the claims of others on me should lead me to do, and that I sometimes act accordingly or on such views, and I sometimes do not act accordingly or not on them. But for Hegel this relation, however important and preserved in his theory, is not a causal, but an expressive one. The definition of an action [*Handlung*] is simply an "expression [or "externalization"] of subjective will" [*Äusserungen des subjektiven Willens*]. Hegel's most frequent example of this is the one made much of in chapter 6: the "translation" or expression relation between an artist and his art work. Later this is invoked as criterial for action:

The doing [*Thun*] is thus only the translation [*Uebersetzung*] of its individual content into the objective element, in which it is universal and recognized, and it is just the fact that it is recognized that makes the action [*Handlung*] a reality [*Wirklichkeit*]. (PhG, 345; PhS, 388, translation altered)

¹⁰ See Pippin (2006), pp. 437–440.

In some sense, of course, the artist causes the statue to be made, but what makes it “his” is that it expresses him and his artistic intentions adequately, and what makes the “him” it does express “*really* him” is what we are mainly looking for and that has something to do with reason and therewith the establishment of some mutuality.¹¹

Thus what is supposed to be able to connect me as an individual facing a possible choice with the choice that actually resulted is, as in many other rationalist or reflective theories, some appeal to practical reason in the determination. Under that condition, the deed can be said truly to express me, what I resolve to be, but fulfilling that condition does not involve a reason actually functioning as a cause (the causally effective condition without which the deed would not have occurred), nor does it involve a subject exercising a faculty, as if a neutral tool. As we have already seen, deeds can count as mine if they do express my intention, and they can so count when undertaken rationally, but this latter state is one that Hegel most often describes (within the context of objective spirit) as being in a social state of recognizing and being recognized, a state itself essential in my relation to myself counting as a product of reason and so as free. It’s the last claim that is so hard to understand and, even if only dimly understood, so controversial.

III

Consider again that Hegel is proposing an “achieved state of being” theory of freedom (“being with self in another”). What sort of a state are we talking about?

It is of course first of all a state of spirit and the *Encyclopedia* definition of spirit gives us, in extremely compressed form, all we need in order to be able to see (eventually) how the theory of objective spirit counts being recognized in a certain way as essential to the achievement of freedom, to formulate again the thesis I am trying to defend:

The formal essence of spirit is therefore freedom, the absolute negativity of the Notion as self-identity. On account of this formal determination, spirit can abstract from all that is external and even from its own externality, its determinate being. It can bear the infinite pain of the negation of its individual

¹¹ As Taylor has pointed out, on this expressive model, he might even discover something about his intention *in* acting to express it, or come to alter it in acting; something not possible on the reasons-functioning-as-causes view. See Taylor (1985a), pp. 77–96, and compare again Quante (1997).

immediacy, i.e. maintain itself affirmatively in this negativity and have identity as a being-for-self. This possibility is the abstract being-for-self of the universality within it. (EPG, 25–26)

The state in question involves first a certain sort of negative relation to one's own "individual immediacy," a way of not merely automatically responding to nature's dispensations and immediate impulses as determinants of action, even while this negative self-relation does not mean simply *not* being one's contingent biological self (as if really being another, immaterial substance). But it also involves an affirmative self-identity, a positive determination and not merely the capacity not to act as so naturally inclined. This is achieved through, it is said, the "universality" within spirit and this is the claim to reason we have already noted as a criterial factor in the realization of freedom. As Hegel notes in different ways on several occasions, "reason constitutes the substantial nature of spirit, and is merely another expression for the truth or the idea which constitutes the essence of it" (PSS, 1:89).

As we shall see later, it is the question of achieving this universal point of view that will lead us back to the recognition issue, or the issue of being treated as and treating others as, reason-givers and reason-responders. This is so because Hegel treats the highest or ultimate satisfaction of the freedom condition noted above – being able to find myself in, identify with, my deeds – in a somewhat Kantian way. That is, Hegel argues as well that a practically rational determination recovers the content of such deeds as my own, and establishes the proper sort of independence even in the satisfactions of my interests. As with many other philosophers, so for Hegel: an action is simply the sort of event for which reasons can be asked, and the quality and character of such reasons determines the extent to which I have acted freely, rather than been determined.¹² As in the Addition to §15 in *The Philosophy of Right*:

This thing which is mine is a particular content and is therefore incompatible with me; it is thus separate from me and is only potentially mine, just as I am only the potentiality of uniting with it . . . It is inherent in arbitrariness that the content is not determined as mine by the nature of my will, but by contingency,

¹² Most famously, again, Anscombe (2000). The issue of degrees of freedom is important to stress. In a general sense being able to act on a reason at all establishes the deed as free, at least in the general sense of "not unfree" and only a slightly greater degree of self-understanding and intentional attitude is necessary for individual moral responsibility to be imputed. The "full" realization of freedom, though, involves the achievement of a "genuinely universal point of view," and that requires actually being taken to be such reasons within a society, actually to circulate as such.

thus I am dependent on this content, and this is the contradiction which underlies arbitrariness . . . When I will what is rational, I act not as a particular individual, but in accordance with the notions of ethical life in general [*nach den Begriffen der Sittlichkeit*]; in an ethical act I make not myself but the issue itself [*die Sache*] the determining factor [*geltend*]. (RP, 67; PR, 49)

As Hegel himself constantly insists, modern social forms, the authoritative considerations offered and accepted as justifications, have no legitimate standing if only affirmed by the “heart” or “positive authority” (or, one might add, as a matter of contingent mutual advantage), or if, as matter of social fact, say, forms of nationalist or ethnic mutual recognition actually achieve a matter-of-fact, or psychologically satisfying form of trust and solidarity; these forms must rather be “justified to free thinking,” the “content” of modern life must be shown to have a “rational form”; our various drives must be “freed” from the “form of their immediate natural determinacy” and must “become the rational system of the will’s determination”; we must be “educated” to see ourselves in terms of a “self-determining universality,” and will not as a “particular,” but must seek “the rational high road” (RP, 68, 71–72, 67; PR, 50, 52, 49). The “destiny” of individuals is to lead a “universal life” (RP, 399; PR, 276).¹³ Leading such a life, acting in a rational form is what is to count as freely leading a life, rather than responding to and managing contingently acquired drives and desires. And when Hegel tries to gloss what he means by “having achieved such a rational form,” he does not appeal to a kind of practical wisdom based on an experiential knowledge of human nature, to an instrumental rationality, to a formal criterion of universalizability, or to some knowledge of the rational structure of Cosmic Mind. What he says is: only a life “in accordance with the notions of ethical life” will have achieved the “negation” of nature and the “self-determining universality” that Hegel counts as freedom. That reference to sociality is, I think, already an indication of the continuing role that the problem of recognition, of achieving a form of social reciprocity and genuine mutuality continues to play in the mature theory.

Considerations like these mean that Hegel is certainly making room for cases where, say, everyone as a matter of fact bestows and accepts various recognitive gestures and is subjectively satisfied, even though no genuine recognition (because no true mutuality or “universality” or “no one counts as exempt from what applies to all”) has been achieved. His

¹³ See also PSS, 1:6–7.

account is “dialogic,” as Ikäheimo and Laitinen characterize it (no one can successfully bestow recognition on another who does not recognize the bestower as a competent recognizer),¹⁴ but his account clearly treats the mutuality at issue in institutional rather than psychological terms.¹⁵

Formulated this way, this spiritual distinctness (freedom) can be said to have degrees of realization (degrees of achieved distance and independence), a fact that will finally lead us to what Hegel calls both the negativity and “affirmative universality” characteristic of social life or objective spirit, the realms wherein various ways of transforming (rather than sacrificing) the immediate manifestations of nature, various ways of establishing that negative relation, take place; the realms of family, work, law, and politics. Something like the degree of distance attained from the original natural imperatives, the range of self-constituted responsiveness in such taking up of possible attitudes, or the range not simply set or determined by the natural condition or by psychological states alone, represents the basis for the gradualist or developmental account presented by Hegel. Nature is “overcome” [*überwunden*] and spirit *is* its overcoming of the immediacy of nature and thus, is “not the result of nature, but in truth is its own result.”

Thus Hegel’s position on spirit amounts to defending the claim that some natural organisms can come to hold themselves and others to a “determination” of action, a norm or claim, that, while not the expression of any immaterial capacity, cannot be explained as a directly natural or causal result. As we began to see in chapter 2, habits, rituals, socialized emotional dispositions, and so forth (what Hegel calls “anthropology”) are the first, low-level manifestations of such achievements; low-level because, on the one hand, subjects still take themselves as largely subject to nature’s

¹⁴ Ikäheimo and Laitinen (2007), pp. 37–39.

¹⁵ Cf., for example, in a passage explaining the nature and status of being-recognized, “In love and friendship this [counting for another as free and counting her as free] is more at the emotional level, but in civil society I count as an abstract person without regard to my subjective peculiarities” (BPhG, p.175; LPS, p. 194). Cf. also EPG, §432Z, where Hegel claims that in civil society and the state, “the recognition for which the combatants fought already exists.” This difference between the institutional embodiment of recognition on the one hand, and the psychological need for recognition on the other (on the basis of which one might make a claim for a moral harm in misrecognition) is relevant to Axel Honneth’s complaint that my account “reduces” all forms of recognition to one, institutional form. It is a matter, I think, of two different questions, not an issue of reduction. I don’t believe that Honneth can demonstrate that his multiple and basically psychological notions of recognition can be shown to be conditions of agency in the sense presented here and that Hegel intends his political account of mutual recognition to answer just that question. This is not to say that there are not other questions and other answers. See Honneth (2007), pp. 351–2.

immediacy (and of course are), even as they begin to understand themselves as so taking themselves and so as potentially self-determining, as so subject because (and in the normative sense of “subject”) only because they so take themselves. Being spiritual beings is a historical achievement of certain animals; not the manifestation of an immaterial or divine substance.

IV

These are certainly radical and very strange claims. But it is at least clear that “being free” is not being treated as an essential or really any sort of property or substantial causal capacity, but throughout all Hegel’s *Encyclopedia* formulations, as an achievement; the collective achievement of a state, a state of intra-psychic and social being, wherein instead of natural dispositions subjects have come to be able to constrain their conduct on the basis of and, especially, engage each other on the basis of, norms. (Throughout his formulations, the language of achievement, product, making, and especially positing, is considerably more pronounced than any language of manifesting, organic growth, or the appearance of substance.) Given such an achievement, we can say that some sort of consideration about what ought to be done can actually circulate. Reasons are offered and accepted as entitlements and justifications for actions, all with a collective, binding authority, all with varying historical degrees of independence from what is experienced as the natural realm of unavoidable immediate necessity (from norm-less, state of nature relations of power alone).¹⁶

That is, such beings can collectively bind themselves over time to rules and principles and laws constraining, sanctioning, and directing conduct

¹⁶ Thus views like Allen Wood’s – “Hegel’s ethical thought thus turns out to represent a rather Aristotelian variety of ethical naturalism” – are not wrong but can be somewhat misleading, especially in the use of the “naturalism” category and the invocation of “essential tendencies in the existent” (Wood 1990, p. 12). (For the best brief summary of Hegel’s great differences with the Aristotelian project, see the evidence compiled by Wolff 1992.) Wood is careful to distinguish Hegel’s from standard teleological theories (although he still often refers to freedom as something like an essential end or purpose for human beings), to emphasize the role of Kant and Fichte in Hegel’s account of freedom, and to construe this naturalism as “historicized.” But the “state” of freedom as described by Wood seems very often a kind of *knowledge* of the human essence or of ethical substantiality (see Wood 1990, pp. 32, 51, 70, 83, 204). This (a) leaves it unclear what sort of knowledge this is (especially when expressed as a “historicized universalism” [a term that sends us straight back to all the dialectical puzzles Wood wants to ignore]); (b) raises all the concerns that Theunissen, Habermas, Hölsle, Honneth and others have raised about the “abandonment” of Hegel’s intersubjectivity theory, and (c) raises ominous political questions about the role and authority of *claims* to knowledge or even Hegelian science inside a political culture. See my review of Wood’s book (Pippin 1993b).

and they can train themselves, come to hold each other to such constraints and expected common goals in a number of ways (education, aesthetic practices, religious rituals, sanctions). There is no super-naturalism or “noumenalism” in such an account and it is completely non-dualist.¹⁷

This chain of topics has now reached a decisive point, the chain that identifies freedom as a kind of state, not a causal power, that state as the achievement of a certain sort of negation of, independence of, nature, and that possibility as a kind of rational self- and other-relation. This multiplication of philosophical commitments (vague and abstract as they are in this rapid summary) has now created the core problem in Hegel’s account: the question of what will finally count, in this mediated, gradualist picture of collectively achieved independence, as genuine independence and collective self-determination (and so finally the self-identification we are looking for), i.e. constraint by norms that are not indirectly or directly “nature dependent” and why they can be so counted. This is the claim that distinguishes Hegel from historical relativism and it is obviously linked to the question of whether he can explain what counts as successful recognition.

It is so extraordinarily difficult to understand what Hegel means by this claim because, throughout *The Philosophy of Right*, given all the alternatives he has rejected, he appears to have been busily painting himself into a very narrow corner, with no room to answer such a question. Famously, against Kantians, Hegel has given up the hope that there is a single formal rule of practical rationality in itself simply definitive *a priori* of such self-determination and inherently motivating, a rule which tells us how to determine our actions so as to be “one among many,” and self-determining and autonomous, not bound to our natural and particularizing dependencies. He thus gives up the Kantian version of the attempt to show how one could come to experience one’s own concrete, individual freedom in acting “as any rational agent at all,” defined so

¹⁷ These sorts of claims make it very unlikely that the “state” in question that Hegel wants to count as the achievement of freedom is any part of a romantic or organic holism. The emphasis on independence from nature and the rather extreme, paradoxical claims that human mentality or mindedness *is a result of itself*, a product of itself, that it has “made itself what it is” do not seem to be leading in any such direction. Self-realization cannot be the development of a natural potentiality if the development in question is described as the “self-liberation” from nature, and there is no natural whole into which subjects are supposed to “fit” in realizing their natures. The language is not about the accidents of any substance, but a kind of collectively made, *geistig* or artificial substantiality in time, a kind of collective achievement that finally makes possible the “negative” relation to one’s own nature, nature itself, and others that Hegel wants to count as freedom, or as true independence.

formally, and so does not have available a legal notion of mutuality of recognition (recognizing each other as all equally bound by the same moral law).¹⁸ As we have already seen (from the Addition to §15, among many other passages), he also rejects any strategic or utilitarian conception of such a normative structure. *I* (or, in a way we shall address in a moment, “we”) must determine the preferences and interests to be satisfied (the preferences can’t do the determining if I am to be free), and that means, if I am doing so rationally, that others, as also setting and pursuing ends, must be taken account of in any such internal reflection as equally entitled agents. And the question remains: how? It is clear enough that and why Hegel rejects a rational egoist or contractualist or legalistic model of such common (morally equal, each counting as only one among many) subjection to norms, and why he thinks the achievement of such mutual regard, such concrete real normative equality in interactions, *is* the achievement of true self-determination (because rational in the social or pragmatic sense) and so the state of freedom. And it is thus clear that his ethical thought means to appeal at bottom to an inescapable, binding form of human dependence which when properly (or normatively) acknowledged becomes itself the means for the achievement of a collective form of independence. But this all does not yet present an answer to the question: what really *counts* as this general normative ideal – counting myself as and being counted as (recognizing myself and being recognized as) one among many (especially such that I remain a distinct one, even while being counted as among many) – and under what conditions would such a normative ideal come to be experienced as binding, as criterial for my being able to express my agency, to be able finally to see and experience myself in my deeds and institutions all by seeing myself recognized by others whom I recognize as proper recognizers?

It is at this point that we should recall how radically anti-substantialist and historical Hegel’s *Encyclopedia* position on freedom (and therewith agency) has turned out to be. It is essentially the radicality of Hegel’s account of non-dualist and self-legislated spirit that leads him to answer these questions in such non-Kantian, non-instrumentalist ways and to appeal to recognitive relations in so decisive a way. As we have seen several times, Hegel is claiming that being a rational agent is not to be analyzed in terms of properties and inherent capacities but as itself a kind of collective social construct, an achieved state. This is so because he treats

¹⁸ The former constitutes the “formalism” objection to Kant; the latter the “rigorism” objection and is especially relevant to modern discussions of the problem of internalism.

the essential condition of such an achievement, rationality, in social and historical terms, as ways in which individuals whose actions affect what others would otherwise be able to do try to justify themselves to each other.¹⁹ The notion of rational agent rather functions a bit like “being a speaker of a natural language”; where vocalizations count as speaking the language only within a language community that takes such vocalizations to commit the speaker to various proprieties and entitlements. Or, in a simpler example, one is a philosophy professor only by being taken to be one, only in conforming to the norms that establish such a role, which norms exist only as social artifacts. It may sound strange to suggest that something so important to us as being a rational agent could have the same artificial status, and it seems much more intuitive to think of “rational agent” as falling into the class of “featherless biped,” or “being a female,” but that, I am claiming, is Hegel’s position.²⁰ The passages

¹⁹ Since this way of thinking has arisen in many other contemporary contexts, the distinctness of Hegel’s treatment should be stressed from the outset. It is after all a recognizable principle of all modern rational egalitarianism to argue that any action or commitment of mine which affects what an other would otherwise be able to do should be justifiable *to* whomever it affects. So, e.g., my commitment to what Rawls calls the Basic Structure should rely on Rawls’ difference principle: inequalities in the resulting distribution from the Basic Structure are just if the person who ends up worst off at that distribution is better off than the worst-off party to any alternative. (Or there is Nagel’s version: we must choose some scheme of distribution whose selection is most acceptable to the person for whom it is least acceptable. Or Scanlon’s: we should base distribution on principles that no one can reject who is herself looking for such principles. Habermas’ case for the implicit commitment to an ideal speech situation is a similar proposal.)

But from Hegel’s point of view these are only of any use if we can get some content into the considerations relevant to what is or is not “acceptable” to the representative worse off or worst-off person. Just relying on some measure of quantity of goods or index of preference satisfaction is either loaded and question-begging (what justifies assuming any such view of what counts as better or worse off?) or it is empty, and leaves the question of mutual justification a merely formal requirement, satisfiable in many often incompatible ways.

It simply does not follow that, because we clearly have a plurality of interests and quite possibly incompatible, incommensurable standards of and demands for justification, we must go “up a level” in logical abstraction and go for an *all-for-one*, *one-for-all* justification. Even such a thinned-out kind of justification (something resulting in a claim that at least we would all be alive and capable of satisfying some of our goals) cannot be assumed as the universal criterion of justifiability merely because it seems so thin and uncontroversial.

²⁰ The counter-intuition here is an aspect of what one could call the “pragmatic paradox”; that, if the question concerns the mutual coordination of action or mutual reconciliation to a course of action, we should not be so eager to point to “what works” as an explicans for the achievement of such mutuality, since it must rather be some prior, commonly accepted, substantive appeal to a standard of reason which itself would explain why “what works” actually does work. Hegel does not so much reject this formulation as point out that its formal status is of no help here. What counts as an equally applicable rule, what counts as the relevant dimensions of equality itself, are just themselves further subjects for contestation and the struggle for recognition. This does not commit us to historicism or historical relativism because Hegel thinks there are some things to say about the development of such practices that will justify some claim to progressive improvements in attempts at such mutuality. I discuss this strategy in chapter 8.

already quoted are, I think, remarkably clear: one is a free individual only as “a result,” an element of a collectively achieved mindedness; or in being taken to be one in a certain way. (As we shall see in chapters 8 and 9, what “taken to be one” amounts to involves a story about social roles and rational institutions.) The notion functions as a normative constraint in Hegel’s account of spirit, constructed and held to as a social norm; it is not a metaphysical or natural kind.

As readers of the Jena *Phenomenology* know, the problem in such a collective attempt at a “self-liberation” from nature is the achievement of a coherent, authoritative form of mutuality in the reciprocal claims and influence on others inherent in any action. (In that work, too, a resolution of that problem is supposed to involve a kind of appeal to reason, as in the transition from Chapter Four to Five in the *Phenomenology*.) In that account, as already noted, one can even be said to “become” the subject of one’s natural desires, they can emerge as mine, only as a result of a challenge from an other to any entitlement to satisfaction. Again, being a free rational agent consists in being recognized as one, and one can only be so recognized if the other’s recognition is freely given; and this effectively means only if I recognize the other as a free individual, as someone to be addressed in normative not strategic terms.

This introduces a much longer story, never finally resolved at the level of ethical life in the *Phenomenology*, but the point here is more introductory. Once Hegel’s anti-dualism about spirit and his account of the self-legislated character of norms is conceded, and some version of Hegel’s critique of a formalist answer is accepted, then there is just nothing left to “counting as a rational norm” than being taken to be one, effectively circulating as one in a society, acquiring the authority that is determinative for what happens, what trumps what, what cannot be publicly appealed to, etc.²¹ Without a possible Aristotelian appeal to the realization of natural capacities in order to establish *when* one is really acting in practically rational ways (realizing one’s natural potential as a rational animal), and without an appeal to a formal criterion of genuinely rational self-determination, this turns out to be the only criterion left: one

²¹ Of course, first of all, in many social situations, there are conflicting norms and deep disagreements. But Hegel’s position is that we should first focus on what normative commonality makes possible the social solidity within which there can be conflict at all, agreement about the terms of the conflict, and he then proposes an account of the ground and significance of the conflict. Secondly, the full story about what it is to be “acting on reasons” is a very long one, and should not be confused with being able to state and defend my reasons, as if modern social life is a kind of debating society. See Brandom (1994), chapter One on “regulism.”

is an agent in being recognized as, responded to as, an agent; one can be so recognized if the justifying norms appealed to in the practice of treating each other as agents can actually function within that community as justifying, can be offered and accepted (recognized) as justifying.

And in the later chapters of the *Phenomenology*, this is just how Hegel begins to talk. When he is summarizing the notions of personhood discussed prior to the culminating discussion of moral personhood, he mentions first that what constituted legal personhood was: “its existence consists in its being acknowledged by others [*Anerkanntseyn*]” (PhG, 341; PhS, 384), even though such a recognitive status was merely formal and “empty” (counted as *merely* one among many before the law). The second status considered, a “cultured self” (the cult of aristocratic nobility in the late middle ages) is said to create a universal status for itself (the ideal of noble service) and this is said to be something, contrary to legal personhood (which one just has or does not have) that must be striven for, that becomes an object of striving. But when describing that universal or “purely spiritual entity,” Hegel again refers to it too as a “state of being acknowledged [*Anerkanntseyn*]” (PhG, 341; PhS, 384), as if what would count as achieving the ideal of pure service, the realization of the ideal, is a social fact of some sort.

In more systematic terms, Hegel makes clear in his *Encyclopedia's Philosophy of Spirit* that the standpoint of objective spirit, or the standpoint of *The Philosophy of Right*, presupposes that some mutuality of recognition has been achieved, and that this achievement establishes “objectively” a level of freedom necessary for true sociality. (That is, he makes clear that he is very far from having abandoned an intersubjective theory of freedom for a monological one):

This universal reappearance of self-consciousness – the concept which is aware of itself in its objectivity as a subjectivity identical with itself and for that reason universal – is the form of consciousness of the substance of any spirituality [*Geistigkeit*], in family, fatherland, state, and of all the virtues, love, friendship, value, honor, fame. (EPG, 226; PM, 176).

And,

The result of the struggle for recognition brought about through the concept of spirit is the educating universal self-consciousness, the third level in this sphere . . . In this stage, therefore, the mutually related self-consciousness subjects, through the sublation of their unequal particular individuality, have risen to the consciousness of their real universality, of the freedom belonging to all, and hence to the intuition of their specific identity with each other . . . it is only

when the slave becomes free that the master, too, becomes completely free. (EPG, 226; PM, 176)

Moral self-certainty, or a reliance on private conscience in indifference to the question of, or dependence on, such recognition is just what will make such a position pragmatically or even “existentially” unsustainable. Hegel notes that for moral conscience “this being-for-another” remains merely “in itself” (or perhaps “implicit”) and so it is in tension with the reality of any deed, which is said to have an “enduring reality” by “being recognized and acknowledged by others” (PhG, 344; PhS, 388). In summary, he notes that:

[T]he moral consciousness does not possess this moment of recognition by others, of pure consciousness which has a real existence; and consequently does not act, or actualize anything at all. (PhG, 341; PhS, 384.)

He even reminds us again of the basic definition of action proposed in section c of Chapter Five:

The action is thus only the translation of its individual content into the objective element, in which it is universal and recognized, and it is just the fact that it is recognized that makes the deed a reality. (PhG, 341; PhS, 384)

When Hegel wants to gloss the “*universal* self-consciousness” that he claims is the implicit aspiration of any claim to act as one ought, he glosses it as “the state of being recognized, and hence a reality.”

When he gives a full picture of the breakdown of the stance of pure moral conscience he makes the same point about what, in his view, constitutes the reality of an existing acting self, and he makes it repeatedly:

The self enters into existence as self; the self-assured spirit exists as such for others . . . The element of lasting being [*Bestehens*] is the universal self-consciousness; what enters into this element cannot be the effect of the action; the effect cannot endure in it, and acquires no permanence; it is only self-consciousness that is recognized and obtains an actual existence. (PhG, 351; PhS, 395)

In fact, he argues, the acting self can only be said to be such a self when its identity with itself (its self-certainty and inward take on itself) is thought together with its “separation from itself,” its acknowledgment of its dependence on others in any determination of the meaning of what is done:

It is the self that separates itself from itself, which as pure ‘I=I’ becomes objective to itself, which in this objectivity equally preserves itself as this self,

just as it coalesces [*zusammenfließt*] directly with other selves and is their self-consciousness. It perceives itself just as it is perceived by others, and the perceiving is just existence which has become a self. (PhG, 351; PhS, 395)

Of course this can all sound far too historicist and constructivist and potentially relativist to do justice to the historical Hegel (especially since what counts as “successful justification” is itself also a norm, functioning as such only if recognized as such), so we need quickly to note that Hegel also has elaborate and controversial views on the conditions that must ultimately be satisfied before the attempt or presumption to act as an agent (= to appeal to others to take one as such an actor), can be successful. We can address each other on the basis of certain normative claims that can fail to function as such normative appeals, despite our assumptions. One acts freely when one acts on the basis of a claim to entitlement (a norm), but such a claim can be contested and can fail. We can thereby, Hegel thinks, somehow reconstruct something like the inherent logic of such attempts, partial resolutions and successes. (In the developmental account presented in the *Phenomenology*, as well as in earlier Jena accounts, the role of *conflict*, and actual challenges to any putative claim of normative entitlement, play a central role in an argument for the self-legislated character of the norms that result from such challenges, and in an idealized story of the development of successive, more adequate resolutions of such challenges.)²²

Again, as noted above, on the face of it that logic is simple enough – I can succeed in being taken to be an agent, in being recognized as acting on entitlements and permissions, only if I recognize the other as such, respond to the other on the basis of such equal claims to entitlement (otherwise I cannot recognize his recognition of me), or only if some mutuality of recognition is possible – but what constitutes such an achievement and why certain claimants to it (e.g. the Greek *polis*, the results of the French revolution; contract or the moral point of view) must be regarded as failures to achieve it, are not at all easy to summarize.

Matters are so complicated because of Hegel’s rejection of a Kantian deductive model of any such derivation (or any formal model of such rationality, such as Rawlsian constructivism), and because of his insistence on a dialectical, or perhaps more modestly, developmental model. (More on this in chapters 8 and 10.) More specifically in this context,

²² Cf. my discussion in Pippin (1989), chapter Seven. This strategy continues to reveal the strong influence of Fichte and Fichte’s notion of the role of “*Aufforderungen*” in the development of any free self-conscious subject.

Hegel's theory of recognition has turned out to be a theory of practical rationality of a radically "boot-strapping" (internally self-determining and internally self-justifying) sort, the result of which is supposed to be, partly, the affirmation of the social norms defended in *The Philosophy of Right*.

Before turning to some aspects of that treatment in *The Philosophy of Right*, I want to return to the claim that Hegel's treatment of the problem of recognition in *The Phenomenology of Spirit* is not psychological, and this in a dual sense.²³ First, he does not, either in the *Phenomenology's* chapter on Self-Consciousness, nor in the account of *die Sache selbst*, nor in the passages above about the social conditions of agency and the limitations, given such sociality, of a conscience-based view of norms, nor anywhere in *The Philosophy of Right*, direct the reader's attention to the problem of the content of attitudinal states on the parts of individuals, as if the problem were one of determining the right content for such states, such that they count as making possible genuinely satisfying recognition (such that a gesture of respect or esteem can be said to result in someone being-respected or being-esteemed). And so the issue does not seem to be what would be psychologically satisfying. When Master and Bondsman reach a kind of existential impasse, one being accorded a privileged status by those whom he does not regard as competent to grant it, and the other recognizing others who do not recognize him, the dilemma is that the objective social situation is such that neither can find any way of dealing with each other in normative terms; no exchange of justificatory reasons is possible in such a context, and so the very determination of what was done remains provisional and indeterminate, even, perhaps especially, for the stronger agent. In Hegel's terms, each is striving to be free under conditions that will not allow the realization of freedom, given this limitation, and so each can be said to be implicitly striving for a form of mutual recognition. (To act is to propose one's deed as *this or that*; no one so acting can be indifferent to the issue of whether *it is this or that* that was done, and so such an implicit aspiration can be attributed to each party.) It is appropriate in this context that Hegel turns his attention first to the question of the social organization of labor as the relevant arena for a possible playing out of attempts to resolve this impasse. He is interested in who gets to tell whom what to do, on what basis, and how

²³ I hope it is obvious that I do not mean that the issue has nothing to do with human psychology, just that the question being answered does not concern, primarily, psychological health or well-being.

that assertion of authority can actually be said to play out. And he then turns, not to strategies of psychological fulfillment, but to quite general attempts to understand some universal basis for accepting and legitimating the situation of inequality: Stoicism, Skepticism, and the Unhappy Consciousness. I take this as evidence that he is throughout interested in what role reason must play in establishing or achieving freedom once practical reason is understood to be subject only to “self-legislated” norms, and once that is understood to require a social–pragmatic and historical narrative. There is a subjective dimension to the problem, of course, but the path we have been tracing seems mostly oriented from the question of the achievement of freedom, the link between freedom and rationality, and then the implications of a social or socially pragmatic consideration of practical reasons, especially what follows for such a notion under the assumptions of self-legislated normativity.

Secondly, the way Hegel frames the question means that the language of “bestowing and accepting” various recognitional gestures on the part of individuals misleadingly individualizes the issues. That is, if the approach suggested above is going in the right interpretative and philosophical direction, then proper recognitional relations within the family or among members of civil society or among citizens are better understood as manifestations of realized institutional norms, rather than as the result of what individuals come to agree is proper and so bestow and accept with the right attitudes. This will shift our attention towards what Hegel might mean by institutional rationality and how his case for the achievement of such a status depends on an ambitious theory of modernity and so a claim for a developmental justification for such a claim, but that is just where a Hegelian direction should lead us.²⁴

This institutional direction and its presuppositions as described here have a number of other implications. For one thing, it means that a natural question arising from this form of analysis of the social conditions of agency can be misleading, however natural. The question is succinctly put by Laitinen: “Is recognition a matter of responding to something pre-existing or does recognition bring about its objects (for example by

²⁴ I am not trying to claim that misrecognition in the sense of disrespect or some form of social “invisibility” is not a harm although I have doubts about whether an institutional and so properly political solution is possible (given the inevitable sanctions, punishment and coercive force in any action by the state, and the incompatibility between such coercion and the achievement of recognition). I am only claiming here that Hegel’s interest is much more about the conditions of successful agency and that that interest has for him primarily an institutional dimension.

granting a status)?”²⁵ Laitinen proposes a reasonable solution (the general outlines of which are accepted by Honneth)²⁶ according to which persons must be said to have pre-existing potentialities for full subjectivity which then require recognition and objective recognitional status to be fully “actualized.”

But everything we have seen thus far works against this tendency to separate off pre-existing potentialities, as if existing components of the essence of personhood, waiting around to be actualized. That is, Hegel's aspectual view of the status of spirit itself, his insistence that it is a “product of itself” and his take on the self-legislated status of norms, all work against such a picture. We can't say *what* potential is relevant to agency, the status of free and rational personhood, until we know what agency consists in, and Hegel does not treat that as a metaphysical or substantive question. (So even if we could establish that human beings possess a power of complete spontaneity as robust a “could-have-done-otherwise” capacity as one could imagine, there is no reason to think that this alone could fulfill the conditions of “leading a free life.”) That is, there is nothing underlying the process of spirit making itself its own product and by underlying it, helping us to differentiate genuine recognitional progress from false or merely apparent achievements. We have no independent or prior way of insuring that an historical development will be progressive or not, and can only attempt to show that some development represents a superior resolution of what some prior form of life had attempted. It is true that, as just noted, Hegel wants also to say that the provisionality of intention and the indeterminacy of the content of deeds can already be said to suggest an internal and unavoidable *telos* for the successful actualization of actions, some form of an exchange of justifications consistent with the self-made and mutable forms of normative life, but that is not a determinate, unrealized potentiality. Here again it is the logic of action (subjective intention, trying, intention-in-action, unfolding over time, as unavoidably subject to the contesting or confirming interpretations of others) that is doing the heavy lifting for Hegel's account of such an unavoidable *telos*, not an appeal to objective, unrealized potential or human nature.²⁷

²⁵ Laitinen (2002), p. 463. ²⁶ Honneth (2002), p. 510.

²⁷ At the very beginning of Hegel's (*Philosophy of Subjective Spirit*, Hegel distinguishes the topic of spirit from what he calls “*Menschenkenntnis*,” a kind of common-sense wisdom about human nature, and in the Addition insists that the true knowledge of human being, the knowledge of human spirit, is the knowledge of the concept of spirit “in its living development and actualization” [*in seiner lebendigen Entwicklung und Verwirklichung*] (EPG, p. 9 (§377 and 377A)).

The worry about any position even leaning in this direction – one that holds that the answer to Laitinen’s question is pretty much that personhood (or successful agency, the successful realization of intentions in determinate deeds) is brought about by recognitive practices is much like the worry about self-legislation: that it all seems to bring something normative into being out of what was not normative, and that it has no way of establishing when some such attempt at the establishment of such a status succeeds or fails, has no way of identifying progressive change. But the former worry seems to assume that any picture of the social constitution of a normative status must be, because self-constituted, potentially *arbitrary*. And this begs the question. The only way to show that we inevitably face the question of such normative status in a determinate, structured way is to try to give some account of that inevitability, and this is what Hegel has been trying to do since the struggle for recognition story in the *Phenomenology*. It can’t be ruled out of court from the outset. The latter worry also begs the question by assuming that reference to an underlying set of basic, distinctly human capacities and so some ideal of the full realization of human capacities is a necessary condition of *any* account of progressive development.²⁸ This simply rules out of court the possibility that any normative practice can be shown to presuppose its own conditions of realization and so can be held to account in its own, not some idealized terms, and that doing so can establish some kind of developmental progress.²⁹

V

Prior to the account given of ethical life (*Sittlichkeit*), Hegel takes himself to have shown that, while being a free subject must be understood as the “realization” (*Verwirklichung*) of the norm, freedom, or consists in the “actuality” of recognizing others as, and being recognized as, such a free subject, this all cannot consist alone in mutual recognition as rights bearers, with equal entitlement to produce, acquire, and exchange goods, nor (alone) in recognizing and being recognized as having equal status as

²⁸ Not to mention that not all human potential, capacities for creativity and innovation, ought to be realized. If that is so, and we need to know which such potentials to value, we are immediately back to Hegel’s very simple point: that that question will have to look different to an ancient Greek, a medieval knight, a Lutheran minister, or a French revolutionary.

²⁹ There is a good discussion of this point in terms relevant to Mead and the bearing of the issue itself and Mead on Honneth in Markell (2007). See especially the example of Frederick Douglass, pp. 130–2.

morally responsible subjects, entitled to mutual respect in the pursuit of their own welfare and to assessment in terms of individual intentions and responsibility.

This is so for a number of reasons, many having to do with the putative formal status of the universality claimed for such a norm of mutuality. Hegel bases so many of his claims in *The Philosophy of Right* on such a very abstract logical language (as opposed to a direct analysis of the nature of a free will, or a phenomenology of self-determination, or an account of societal failure and historical change) that one might well be skeptical that the considerations about mutuality and reciprocity discussed above are relevant to the mature theory of the rationality of modern ethical life. And indeed in these cases, Hegel tries mostly to show that it is because the norm in question, considered together with its application conditions and the ways it can and cannot count as a reason for agents, is only an abstraction from a particularity, a mere generalization, or based on a very formal appeal to conscience, that reliance on the norm cannot properly transform and regulate particularity, as freedom demands. There is no resolution of the appeal to universality on the one hand and the claims of particularity on the other, and Abstract Right is realized as the vengeful settling of scores; morality is realized as evil itself (the supreme priority of the particular in conscience), and so both as the return of, the generalized manifestation of, repressed particularity, rather than its sublated "overcoming."

However, Hegel also is gradually demonstrating just what factors must be considered in accounting for the self-legislated character of such norms, regarding them as attempts at the achievement of collective self-regulation, and so self-determination, not determinations by nature or insights into moral reality. If they *are* to count as so posited within such an attempt, the conditions, *aporiai* and dilemmas in terms of which any such appeal would be legislated must also be considered. Without such a broader appeal to ethical life as a whole, without understanding these norms as posited within and by an ethical community, the status of coming to recognize each other as rights-bearers and individually responsible moral individuals or moral equals in any sense will look opaque; there will be no solution to the moral motivation problem; and the norm itself will be dangerously unstable and multiply interpretable. This is because we are not simply rights-bearers or moral individuals; we acquire such status in being so recognized, and so no appeal to natural rights or noumenal status gets us very far. Only in *some* conditions, given *some* self-understanding, prompted by *certain* forms of social life, would coming to recognize each other as rights-bearers or moral individuals have some

role to play in the ethical life of a people (the attempt to live a free life, understood as the liberation from nature through the realization of a form of ethical mutuality or universality), and we need an account of those prior conditions and so an account of the particular sort of claim on us such notions have within modernity.

But the idea of the “priority” of *Sittlichkeit*, and this sort of general Hegelian response, still seems to many to bring us all the way back now to the conservative, substantialist metaphysics supposedly behind *The Philosophy of Right*, a prior context or whole within which all the constructing and positing I have been talking about, in order really to count as the realizations of reason, are mere epi-phenomena, where subjects binding themselves to certain norms are only manifestations of absolute *Geist*’s necessary, unfolding self-relation in time.³⁰ If certain norms are appropriate to (and can be described in an attenuated sense as self-legislated within) some “prior ethical substantiality,” we might be back to a claim for a pre-reflective, substantialist position, and to a social ethics, where fulfilling a function I could not help but adopt and subscribe to, amounts to living a justified and so free life.

However, although Hegel does not treat the institutions of *Sittlichkeit* as the products of some idealized rational construction, and treats them as prior to and the basis of more legalistic and formally rationalistic institutions (which he certainly does not reject, even while qualifying), he does not abandon, when describing such ethical life, the normative, rational and recognitional character of such ethical institutions, nor detach their claim on us from the claims of reason.³¹ (Confusing these two issues is quite common, I think, in accounts of Hegel; taking, that is, his denial of the possibility of any methodological form of rationalist constructivism to be *ipso facto* a case for an ethical substantialism, rather than an extension and alteration of such a self-legislated view of norms, which is what, I am trying to claim, it is.)

For example, already in the Addition to §7 of the Introduction, where the ethical status of the family is first introduced as an aside, Hegel makes very clear what is at stake for him. The following passage is offered as a

³⁰ This is basically Habermas’ and also Theunissen’s worry. It is not an unreasonable one. Cf. Hegel’s later remarks about “ethical powers” (*die sittliche Mächte*) and the “accidentality” of the lives of individuals at §145 of *The Philosophy of Right*, his use of the substantialist language in §145A, or his discussion of the “self-will of the individual” “vanishing” “together with the private conscience that had claimed independence and had opposed itself to the ethical substance” at §152 (RP, 294, 303; PR, 190, 195–196); and cf. Ilting (1963–4).

³¹ See also the references in the *Encyclopedia*, §430ff., §490, §497ff., §527, and §547 (EPG:219ff., 10:307, 10:309ff., 10:322–323, 10:346), and Siep (1979), p. 302.

gloss on such *logical* notions as: The "I as . . . primarily pure activity," "the universal which is with itself" as well "as other," and so the "third moment," the "I which is with itself *in* its limitation, in this other":

But we already possess this freedom in the form of feeling [*Empfindung*], for example in friendship and love. Here we are not one-sidedly within ourselves, but willingly limit ourselves with reference to an other, even while knowing ourselves within this limitation as ourselves. In this determinacy, the human being should not feel determined; on the contrary he attains his self-awareness only by regarding the other as other. (RP, 57; PR, 42)

Thus the family, for example, is an ethical (an ethically binding, normatively regulated) and not primarily a natural institution not because of anything "substantial" or intrinsic about the family, but only because of the sort of active recognition of the mutual dependencies it requires and the necessary role of such dependencies in the achievement of any independence. (Note the "limit ourselves" and all the other active verbs.) The form of this recognition is not rational in the rule, formal, legal or strategic sense, but it is treated here as a subject's realization of dependence without which a subject cannot be who he or she is, a qualification of one's own interests that is also an expansion and alteration of such interests, all of which forms the basis for the establishment of an ethical relation.³²

The same sort of account can be made out in the discussion of civil society, where again there is no appeal to ethical substantiality that is not glossed as an appeal to forms of dependence criterial for freedom and recognized as such, and binding only as recognized. As at §192,

Needs and means, as existing in reality, become a being for others [*ein Sein für andere*] by whose needs and work their satisfaction is mutually conditioned. That abstraction which becomes a quality of both needs and means also becomes a determination of the mutual relations between individuals. *This universality, as the quality of being recognized* [*Anerkanntheit*], is the moment which makes isolated and abstract needs, means, and modes of satisfaction into concrete, i.e. social ones. (RP, 349; PR, 229, my emphasis)

And even in his discussion of the state, long the focus of critics of Hegel who believe he was untrue to his earlier insights, the state is said, in a way that again raises all the elements of the interpretation just sketched, to be the "actuality of concrete freedom," and such concrete freedom is said to consist in the fact that,

³² For more on the relation between the natural and ethical dimensions of the family, see the fine study by Brauer (2007).

personal individuality [*Einzelheit*] and its particular interests should reach their full development and the *recognition* [*Anerkennung*] of their right for itself (within the system of the family and civil society) and also that they should, on the one hand, pass over of their own accord into the interest of the universal, and on the other knowingly and willingly *recognize* [*anerkennen*] this universal interest even as their own substantial spirit, and actively pursue it as their ultimate end. (RP, 406–407; PR, 282, my emphasis)

This represents at least the desideratum of Hegel's theory of freedom; it does not yet provide a defense of the details of such claims about the legitimacy of various modern institutions. That goal would be: to be able to show (i) that one could be a free subject only in being recognized as one; (ii) that what that would involve is being concretely recognized as, really taken as, one among many, and that (iii) the concrete or mediated nature of such recognition must mean in modern life being loved (or being able to be loved) as a person, a distinct, entitled individual, not as a clan, or tribe member, or as family chattel; being respected as a functioning, rights-bearing, individually and morally responsible, significant member of the rational system for the satisfaction of needs, and as a citizen whose "estate" status and so concreteness is respected and represented in a *Rechtsstaat*. It is in *being successfully recognized as such a free subject*, where "successfully" has to do with the achievement of a successful form of mutual justification, that one can then *be* such a free subject, can thereby come to regard one's own life as self-determined and so one's own.³³

³³ A final marginal note. Critics sometimes write as if Hegel expects modern citizens to be German Spartans, constantly adopting as their deepest, personal ends the "good of the whole." *But there is no "good of the whole" in Hegel's account.* Surprisingly, ethical life as Hegel describes it is quite a modern phenomenon, let us say; fairly formal, pretty thin ethical gruel (rather more like Michael Oakeshott's "civic associations" than Plato's *Republic*). And this very limitedness is partly what insures that the "infinite" value of diverse individuality is preserved, since Hegel draws very few conclusions about the content of such free individual lives from such premises. Indeed, part of his theory about individual freedom insures that we should not and cannot draw such substantive implications. That is, one should note and take very seriously the fact that there is no theory of substantive virtues in Hegel's ethics, no account of the states of character or dispositions all should aspire to in order to live a free or rational life. The decisive issue remains the forms of social relations and social dependence within which a certain sort of self-relation is possible. Indeed, that issue is so decisive that, on the other side of the map from those criticisms of Hegel which hold that the individual is swallowed up into some all-determining organic whole, many have also criticized Hegel for abandoning his earlier theory of community, where intersubjective experiences of recognition and solidarity were paramount, and claimed that he adopted instead an abstract institutional model, where the primary relation among human beings was between the institution and the individual and not between individuals. There is something to this, but it might also be regarded as testimony to Hegel's modernism.

CHAPTER 8

Recognition and politics

RECOGNITIONAL DEPENDENCE: THE POLITICAL CLAIM

I

Hegel's theory of recognition amounts to an unusual social theory of subjectivity (an account of what it is to be an independent and dependent "I") and therewith a social theory of freedom (an account of the form of social relations said to be necessary for an "I" to be the subject of deeds, an agent). I have been arguing that the full scope and ambition of Hegel's theory needs to be taken account of before its significance for a concrete social and political theory can be appreciated. I want in this chapter and in chapter 9 to make a start at least at spelling out those more concrete issues. I want to do so by means of a contrast, one that comes up very frequently in discussions of freedom in Hegel.

Most modern liberal versions of the state depend on a philosophically ambitious theory about the nature of human individuality and the normatively relevant implications of such individuality. It is often assumed that contrasting theories about the putative ultimacy of intersubjective relations and the derivative or secondary status of individuality are potentially if not actually illiberal, and Hegel's putative organic theory of the state is often cited as an example. A major arena for such disputes has been the claim by such neo-Hegelians as Charles Taylor and Axel Honneth that the key liberal notion of the free and rational individual depends for its possibility and rational sufficiency and empirical sustainability on a social condition of great political relevance: mutual recognition. The question at issue in such disagreements turns on the question of the Hegelian view of the human dependence at issue and what might count as the successful acknowledgment of this condition of dependence. As we have been seeing, a great deal turns on whether we see this dependence in terms of the social psychology peculiar to human animals, or whether we see such

dependence in terms of an ideal of normative mutuality inherent in any attempt to act.

We need a general, fairly high-altitude survey of the landscape occupied by the contrasting liberal versions of the state in order to get the Hegelian political position in view. This is not easy to do; versions of liberal political theory have become ever more various. There are autonomy liberals, value-neutral liberals, skeptical liberals, relativist liberals, libertarian liberals, welfare liberals and more recently liberal or value pluralists. But it remains the case that a set of recognizable, underlying commitments characterizes the Western liberal democratic tradition, and that there are two main sorts of theoretical justifications for these commitments and their practical extensions. The common orientation has to do with the pre-eminence and in some sense the theoretical ultimacy of the human individual mentioned above (social institutions and practices are dependent on the attitudes and commitments of individuals; there is no significant “and vice versa”), and with the equality of worth of each, *qua* individual (each individual’s life is of ultimate not relative worth). This commitment is understood to require a limited and accountable state (accountable to the “consent of the governed”), equality before the law, administrative transparency, constitutional protection of rights, and in most versions, one protection above all: significant and extensive property rights. The theoretical considerations advanced to support such a conception of political life amount to two different ways to claim that, given such ontological priority and equal moral standing, such arrangements are rational.

One set of such arguments relies on a pragmatic or a broadly consequentialist form of reasoning and is oriented from what are taken to be very basic empirical facts and the very straightforward consequences of certain arrangements of power. One argues that under a liberal political arrangement we will all simply be better off – that is, more prosperous, more secure, better able to achieve whatever ends we set for ourselves, and perhaps also more likely to advance culturally. (J.S. Mill is the champion of this group.) Or one argues, somewhat less ambitiously, that in order to retain and develop what we have already achieved in any pre-civil situation, it is pragmatically reasonable to designate an umpire or sovereign, in a fiduciary relation with his subjects, with sufficient power to resolve disputes (Locke), but answerable to his clients if he fails to perform these functions. Or one argues, with something like an absolute minimum of assumptions, that we know at least that we will all be drastically worse off without an all-powerful “Leviathan” sovereign to enforce order (Hobbes). The idea is that no one could be presumed to want or will anything

without wanting or willing what is practically necessary for the achievement of *any* end, and that this general interest in the success of what we attempt can be shown to yield tacit or active consent to such an arrangement, to the state or civil order. On this interest-based conception of political life, the problem of politics is a rational cooperation problem, and it has thus been given new life recently with the growing sophistication and popularity of rational choice models of reasoning. Perhaps the most influential contemporary proponent of this brand of liberalism is David Gauthier.

On the other hand, a robust theory of original *moral* entitlements, rights, is invoked to justify the moral unacceptability of any pre-legal situation or state of nature; or, said the other way around, to justify the claim that we have a duty to leave the state of nature and to establish a civil order. The state's monopoly on coercive force is justified because these claims of moral entitlement – rights claims – are justified. In this case the basic argument is that no one could be presumed to want or will anything without implicitly claiming to be entitled to such a pursuit (i.e. each has a presumptive right to non-interference), and that such an entitlement claim is not one that could be consistently denied to others. And, the argument continues, the only possible realization of a situation wherein such equal rights claims could be secured is one where we give up the right to decide in our own case and submit to the rule of law. Such appeals to a rational will as the source of the state's coercive authority (by virtue of its protection of basic entitlements) are often ascribed to Rousseau and to Kant's position in his "Doctrine of Right," it is quite prominent in the rhetoric of the French Revolution and its declaration of the rights of man, and is a major component, in quite different ways, in the contemporary theories of John Rawls, Ronald Dworkin, Otfried Höffe, and Jürgen Habermas.

These categories are of course idealizations. In some positions there is considerable overlap and intermingling of such strategic and normative reasoning. (The cases of Locke and Rawls are the most obvious.) But the distinctions are stable enough for us to be able to identify an alternative modern tradition which, by being alternative is often just thereby (and too hastily) considered non- or anti-liberal (or anti-individualist). The problem raised by this alternative tradition involves a critique of the putative ultimacy or original status of the individual and the implications that follow for politics if that ultimacy is denied in favor of some more complicated view of the logic, let us say, of original relations of dependence and independence among persons. Obviously one such

implication might be that the legitimacy of the state's coercive power could not be wholly defended by appeal to what an adult person would will, either in a strategic sense or, more broadly, by appeal to what any such person could be argued to be rationally committed to. The claim is that such a picture of the rational individual is a "cropped" picture, that we have arbitrarily excluded from the frame original and prior intersubjective relations which, because these are necessary for the possible existence and exercise of any individual will,¹ cannot be a standard subject of rational negotiation for individuals. Under the influence of this distorted or cropped picture, we would falsely conclude that all relations to others are results of volition or consensus, either *ex ante* or *post facto* as a matter of reflective endorsement, and thereby we would in our theory of political life and its authority fail to acknowledge properly such pre-volitional, unavoidable, necessary ties to others (fail to acknowledge that they are not ones we could adopt or reject as a matter of choice). As Axel Honneth has pointed out, such an atomistic ideal of a boot-strapping, wholly self-defining and self-determining subject is bound to produce various social pathologies of a distinctly Hegelian or dialectical sort.² By this I mean that we will have adopted as an ideal (not just in our political lives but comprehensively) a norm of self-determination and self-authorship that cannot possibly be fulfilled and cannot even be action-guiding. It will remain formal, abstract, and empty, and in trying unsuccessfully to fulfill it we will successively undermine its authority or produce various strategies of "dissembling" or "hypocrisy" or "beautiful souls," all discussed in Hegel's *Phenomenology*. We will, in Honneth's fine phrase, "*suffer* from indeterminacy."

By contrast, a new and different sort of claim for ultimacy in intersubjective relations would form the basis of an alternative political reflection, and the most important aspect of this relation is often a form of original, unavoidable social dependence. It is, so goes the claim, by ignoring or denying such original relations in a fantasy of self-reliance that we end up in those distorted or even pathological relations to others, even to ourselves.³ (The objection is not that the lack of such

¹ Not, of course, conditions for the possible empirical existence of the individual (but for an effective human will, the possible realization of intentions).

² I mean especially Honneth (1996) and Honneth (2000).

³ The implication that follows from putting together these two claims about "suffering from indeterminacy" and the priority of original intersubjective relations of dependence is that it is such relations which provide the determinate content for modern ideals of equality, individual dignity, mutual respect, and the like. (It must always be in terms of such dependence that we understand what it is to respect each other, acknowledge dignity, and so forth.) This is a consequence Honneth

acknowledgment produces such pathologies as a matter of empirical fact, but that a form of social and political life which is untrue to itself, one might say, just thereby is irrational and indefensible. It is a further and more difficult claim to suggest that this falseness is very likely to produce a form of social instability.) As we shall see, at its most ambitiously dialectical the full claim is that acknowledging, acting in the light of, such relations of original dependence is a necessary condition for the achievement of true independence, or true “self-realization,” or “actualized,” “concrete” freedom (which Hegel typically calls the highest human good, the realization of what it is to be a human being). And, to anticipate again, this idea amounts to what is at once one of the most noble and most abused notions of nineteenth-century European thought. The claim of such original dependence leads to a charge much more radical than one of unfairness or injustice if there is freedom for some and unfreedom for many others. The idea is that I cannot be properly said to be free (“actually” a free and self-determining agent) unless others are free, that my freedom depends on theirs, reciprocally.⁴ (In the version of the claim presented in chapter 7, being a free agent – an actual or successful agent – is said to depend on being recognized as one by others whose recognition itself depends in turn on their being recognized as such free recognizers.) This is why it is argued that an understanding of the nature of *this* sort of dependence – unavoidable dependence on recognition by others – ought to guide all reflection on both the powers and limits of sovereign authority.

This tradition is again associated with the Rousseau of *The Social Contract*. (Rousseau seems to have managed to express and defend almost all the alternatives in modern social and political theory.) This is the Rousseau who argued passionately against the enslaving effects of modern social dependence and for the creation of a new form of artificial dependence that would count as the creation of a collective independence, *the citizen* or the famous exchange of natural freedom for civil freedom. But it is most apparent in Fichte's 1796 *Grundlage* and of course in Hegel's Jena writings and his Jena *Phenomenology*, and in the left-Hegelian tradition inspired by Hegel's gripping account of “the struggle to the death for recognition” and the internal paradoxes of the Master–Slave dialectic.

accepts in Honneth (2000); but it opens the door to the question about how we evaluate such social communities once we have eliminated all reliance on methodological individualism, on “what rational individuals would will.” I discuss this issue further below.

⁴ Honneth (2000), p. 21.

This tradition too has its contemporary resonances. The most well-known appearance of this sort of claim is in the various “communitarian” reactions to Rawls’ work (Sandel’s for example), and in some neo-Aristotelean work (MacIntyre), but the most worked out and clearly Hegel-inspired reflections can be found in the recent work of Charles Taylor and Axel Honneth.⁵

II

This – these strands of liberal thought and this counter-strand that concedes the existence of rights-bearing independent, self-determining individuals but denies their theoretical ultimacy – forms the context for the issue in Hegel I want eventually to raise. The thematic itself is a sprawling and barely manageable one, since it quickly spills over into claims about social psychology, developmental psychology, theories of modernity, and philosophical anthropology. But the heart of the matter clearly concerns how we are to understand two issues that have already come up several times: the basic claim about an original relation of dependence on others (what sort of dependence we are talking about, how it is to be related to claims for independence, what sort of acknowledgement of it is appropriate) and, secondly, in what sense we are to draw political implications from such an understanding (and I mean especially implications about the coercive use of the state’s monopoly on violence). What I want to claim is a continuation of the claim made in chapter 7: that Hegel’s argument for a particular sort of original dependence necessary for the possibility of freedom – recognitional dependence – is not based on a claim about human need, or derived from evidence in developmental or social psychology. It involves a distinctly philosophical claim, a shift in our understanding of individuality, from viewing it as a kind of ultimate given to regarding it as a kind of achievement, and to regarding it as a normative status, not a fact of the matter, whether empirical or metaphysical. Understanding how Hegel wants to free us from one picture and suggest another way of looking at the issue will make the relevance of this recognitional dependence much easier to see. With respect to the question of what Hegel’s position

⁵ Patten (1999) has argued that, given the details of Hegel’s theory of social dependence, one might call his position a “civic humanist” one. This seems to me right, as long as one concedes that the public activity relevant to modern politics is relatively thin, compared to classical republican positions.

is on the second issue – what political implications follow from this transformation – the issue is murkier.

In general, this – the status of the claim for some intersubjective ultimacy – is the core issue because it is obviously open to a defender of some version of classical liberal theory to claim that any such putative dependence or intersubjective bond, even if it is true that it is original and unavoidable, is nonetheless irrelevant to mature political reflection. *However* “I” got to be the concrete “me” that I am, however dependent in such a process and even in the present on others in a variety of contexts, that “I” is now, *qua* adult agent, quite capable of a complete reflective detachment from any such commitments and attachments and dependencies that may have arisen. No such attachment or dependence can be counted as of value to me unless it can pass what we have seen before – a “reflective endorsement” test *by me*, unless I can “stand back” from such involvements and decide whether I ought to be so attached. And underlying such a claim is a view of the possible worth or value of my achievements to me. To be so valuable – so goes this style of thought – they must be due to me, must be experienced as the result of my will and initiative and talent. And so my claims on you and yours on me as civil beings should then be limited to what can be shown to be necessary for each of us to have a sphere of activity wherein such will might be exercised. To be a liberal in this sense is to forgo “your” approval or recognition or in some large measure even your assistance. Giving up at some point in one’s life such dependencies, being able to act without requiring the recognition, approval, or in some sense the assistance of others, is to assume the role of an adult responsible individual – to grow up, one can imagine a Thatcherite liberal insisting impatiently. For those on this side of the issue, anything less than such a commitment, especially any claim that my status or worth depends on its effective acknowledgment by others (not just on their non-interference) would be a recipe for “group think,” social conformism, and ultimately quite illegitimate restrictions on individual liberty in the name of what is supposed to be such originally necessary dependence.

It may be that one manifestation of such non-interference might be a callous indifference, resulting in the humiliating invisibility suffered by, say, Ralph Ellison’s *Invisible Man*. But even if that is considered a wrong, our Thatcherite might concede only that it is a moral wrong, a failure of charity and moral attentiveness and not a politically correctable wrong, as if some right to visibility had been violated. And it is not enough just to show that without reliance on, or trust in, the already on-going social

practices, institutions, and norms into which one has been socialized, there could be no determinative content to ideals like self-determination or self-realization, or ideals at all for that matter. Establishing that might just mean that we are worse off philosophically, stuck with a contingent social content that we experience as unavoidable but reflectively unredeemable, the Heideggerian cage of *das Man* rather than the Hegelian liberation of *Sittlichkeit*. If the indeterminacy criticism holds we will also clearly need an account of the rationality of specific, modern institutions, and some way to do justice to the subjective element in our acceptance and embodiment of these norms, some explanation of how we have made them ours that does not revert again to the individualist reflective endorsement model and does not settle for a matter-of-fact habituation.

The rejoinder to all this by any proponent of a recognitional politics clearly will turn on the argument for something like the ultimacy of such dependence (or a claim in social ontology) and so the necessity of acknowledging its indispensability in our political theory (the normative necessity of so doing, a requirement that will constitute a claim for the rationality of such acknowledgment), along with an account of what acknowledging it amounts to on the ground. It will thus rest on the claim that the sort of detachment and endorsement spoken of above is not only impossible, but is a dangerous fantasy, leading to the pathological indeterminacy already noted. However, even if this can be established, the political implications of such an unavoidable dependence will have to be drawn carefully. After all, the language of “social harm” arising from misrecognition suggests a consequentialist form of reasoning, an argument about the weight of various social goods with, apparently, an additional claim that esteem and self-worth (and the social acknowledgement they depend on) have *more weight* than has hitherto been conceded. (Since we are talking ultimately about the use of the state’s coercive force to prohibit such a harm, we will need a very strong argument to show that such injuries are not just unfortunate, subject to moral disapproval, but must be subject to legislative remedy, are in some way components of the common good.) That would suggest one form of an extension of the “original dependence” claim that would be consistent with, a kind of addendum to, the empirical form of liberal reasoning noted above. But the language of ultimacy and undeniability also suggests a case based on some entitlement claim, as if the wrong in question were a moral injury, of the general sort Kant argued against by denying we should ever use another as a means, should ever withhold respect for another’s “incomparable” worth. This sort of claim for a kind of “*right to be recognized*” implies

another direction altogether, one consistent with, a kind of addendum to, the rights-based liberalism noted above. And again we would face the problem of showing some claim on others to be an entitlement requiring coercive enforcement and not just a claim that we ought, in some general moral sense, to respect.

III

So, what sort of claim on others is the claim for recognition, and what, if any, are its political dimensions?

To understand Hegel's position, we need to begin again with the fundamental issue in the difference between liberal and recognitional politics. For the moment, we can just let this latter stand for a conception of politics which does not tie every claim to legitimacy and justice to the interests or rights claims of sovereign rational individuals and what they have or would or must rationally will, and all this because of some claim of prior or pre-volitional dependence that requires a form of political acknowledgement, the non-acknowledgement of which counts as a wrong. We could put the basic problem of the independence/dependence relation in a way familiar from the sketch Kant's *Rechtslehre* gestured to in chapter 7: that it concerns what I can justifiably claim as mine, not yours, and the conditions under which such a distinction is possible. That is, we can try to make the Hegelian point I am interested in defending by recalling Kant's case and by noting that even such a paradigmatic liberal case involves precisely the social dimension required by Hegel's picture. At this quite primary level, and keeping Kant in mind, we should begin by noting that the basic starting points of modern political reflection – mine, yours, and ours – do not refer to empirical facts that can be read directly off the empirical social world. They involve the establishment of normative statuses; what we mean by “mine” invokes a norm (once we move in any way beyond what I can empirically hold and protect); it appeals to what is rightfully mine; we are not pointing to any empirical fact. (As Kant noted in the *Rechtslehre*, intelligible beings, beings responsive to reasons, are not limited in possession to what they can physically hold or defend. They can establish rational relations with others and therewith achieve intelligible or “noumenal” possession. It would be inconsistent with such rational nature not to realize in some way this capacity, to act as if we did not possess it.) And if our original dispute is about the “ultimacy of individuality,” then that will have to be a dispute about the bases of such a normative claim of content. So, the question of

my distinctness as a human individual is not the sort that can be settled by a DNA test, but concerns the extent of my (putatively) rightful exclusion of *your* and any else's interference. The boundary between mine and yours (even in a way between you and me) must be *set*, and it must be understood as a normative not matter-of-fact boundary. This seems primarily a worry about property but, given the kind of worries about the psychology of dependence first voiced in Rousseau's *Second Discourse*, the issue is much broader. Given how materially dependent we have become (thanks to the division of labor and the growing distance between civilized life and any possible self-sufficiency), especially how dependent in the long process of human maturation, whatever we value in the ends we set and the views we espouse, whatever we guard as rightfully ours, are, we come more and more to suspect, likely to be an inevitable reflection of such dependence and the conformity it enforces, however much it might feel like our own intimate self. Rousseau goes so far as to claim the following:

The Savage lives in himself; sociable man, always outside himself, is capable of living only in the opinion of others; and so to speak, derives the sentiment of his own existence solely from their judgment.⁶

We can thus now see that the underlying problem pointed to – the normative status of mine in all its senses – appears as the problem of freedom, understood broadly as the ability to see myself in my own deeds, to experience such deeds as the products of my will, not the forces of social necessity; in a word *as mine*. Secondly, this notion of non-alienated freedom would also involve understanding the deeds as reflections of what *I* most value, as genuine expressions of my view of the good, or whatever; as manifestations of what is rightfully and originally mine. If I can experience the deeds as products of my will, but also regard them as violations of my own views of what ought to be done or ought never to be done, then I am alienated from my own deeds in another way. Fulfilling such conditions is what amounts to practical success as a determinate agent, a free being (its “actuality”). All this while conceding that there is clearly a possible difference between what I consciously take myself to value, and what in fact counts as rightfully and originally my commitments. In this admittedly paradoxical sense, I can be alienated from what I truly value, while regarding myself as free in this expressive sense.

⁶ Rousseau (1986), p. 199.

And this provides the opportunity for a provisional summation of what I take to be Hegel's whole claim about this matter. For it is this success as an agent that, according to Hegel's position in the Jena *Phenomenology*, requires as its conditions, that others (i) recognize me as having the social status and identity (and, in the example used above, the property) I attribute to myself; (ii) recognize the deed as falling under the act-description which I invoke; and (iii) recognize me as acting on the intention I attribute to myself. In general, this success requires that I am taken by others to have the intentions and commitments that I take myself to have, and so *to be doing* what I take myself to be doing.⁷ Just as is the case in Kant, what I take to be mine pre-socially can only count as provisionally mine. It is actually mine only if recognized as mine, something that must also involve conditions equally available for the recognizer and recognized. As we have seen several times, this involves something like both an entitlement "to be understood" and a pragmatic necessity to aspire to such understanding. But we don't really understand someone's intentions just by understanding the sentences he sincerely utters when asked why he is doing something. As we have also seen several times, we don't really understand someone's intentions *just* by understanding the sentences *he* sincerely utters when asked why he is doing something. If someone says, "I am killing him so that I might eat him and prevent the appearance of the angels," we haven't understood him, although we know what he said. His avowed intentions have to make sense to us, and this involves some sort of way for us to put ourselves in the place of the agent and so to try to come to see why the world looks as it does to him.⁸ This requires some common mindedness and the question of the achievement of such commonality is, among many other things, a political question. By contrast, I can claim to be a knight and to be engaging in acts of chivalry, but if the social world in which I live cannot recognize such a status or such deeds, then I am a comic imitation of a knight, a Don Quixote. To say everything at once: Hegel's eventual claim will be that these three conditions of successful agency (or, as he often says, "actual," *wirklich* agency) cannot be satisfied unless individuals are understood as participants in an ethical form of life, *Sittlichkeit*, and finally in a certain historical form of ethical life, in which such relations of

⁷ Such a subject "perceives itself just as it is experienced by others, and the perceiving is just existence which has become a self" (PhG, 351; PhS, 395).

⁸ Cf. Anscombe (2000): "To give a motive . . . is to say something like 'See the action in this light.' To explain one's own actions by an account indicating a motive is to put them in a certain light" (p. 21).

recognition can be genuinely mutual, where that means that the recognizers are themselves actually free, where the intersubjective recognitional relation is sustained in a reciprocal way. This is partly a political question (as in “Hegel’s theory of the state”) but that account is not offered independently of its manifesting a form of life as a whole, and this means that Hegel’s account cannot serve as a prolegomena to political action.⁹ (More on this in chapter 9.)

But clearly this is to say so much at once as to strain the patience of any reader. Underlying the manifold of issues just presented one can still detect, I hope, the core or basic issue. For Hegel is clearly treating the basic notion of actual individuality as an achievement, a result of a complex intersubjective dynamic, and not a matter of mere biological uniqueness (which he calls “particularity”) or some noumenal status. True individuals are agents in Hegel’s account, in non-alienated relations with their deeds and commitments. (Said more precisely, they are “actual” agents, and as we have often seen Hegel seems to conceive of such a state as having gradations, levels.) And clearly what is driving his argument about social dependence is the claim that this status as an agent is, can be nothing other than, a social status, and a social status exists by being taken to exist by members of some community. A priest, a knight, a statesman, a citizen, are not, that is, natural kinds. One exists as such a kind by being treated as one, according to the rules of that community, reciprocally available for all. And the radicality of Hegel’s suggestion is that we treat being a concrete subject of a life, a free being, the same way. It is in this sense that being an individual already presupposes a complex recognitional status.

Here are some of Hegel’s formulations of the point. In the 1825 *The Philosophy of Spirit*, he writes:

If we speak of right, ethical life and love, we know that when we recognize others I recognize their complete personal independence. We know too that I do not suffer when I recognize others, but rather that I come to count as free. We know that when the others have rights, I also have rights, or that my right is essentially included in the right of others; i.e. that I am a free person and that this is essentially the same as others also being persons with rights. In benevolence and love, my personality is not undermined or destroyed . . . In relations based on justice, I know that if I respect the property of others, that respect does not only not cause me harm, but also that in the right my own right is included, for I have renounced all claim to the property of others. (BPhG, pp. 78–79)

⁹ On Hegel’s notion of “the political” see Siep (2006). There is a great deal of “Hegelianism” (mostly unintentional) in Williams (2005) and his defense of “political realism.”

RECOGNITIONAL DEPENDENCE: THE "DEVELOPMENTAL" CASE

IV

This is all not yet a very full response to a liberal skeptical about such claims of dependence, and the acknowledgement of such dependence. Why should we believe that we *are* dependent in just this way, that individuality, or being an individual subject, should be understood this way (as a normative status dependent on social recognition), and that there are both social and political conditions without which we could not become the individual subjects of our own lives? Especially, why should we regard these claims as philosophical claims about "what it is to be spirit," claims with independent normative authority, especially when that approach seems so programmatic, to leave so much open?

I have said several times that there is a "phenomenological" or "developmental" as well as systematic case for these claims (the latter was briefly on view in chapter 4), and that that former case involves an unusual narrative developmental logic that is difficult to summarize economically. I have been treating that narrative as beginning with the introduction of a social conception of self-consciousness in Chapter Four of the *Phenomenology*, especially with the introduction of the theme in the first section there, "Independence and Dependence of Self-consciousness" and the famous struggle and Master-Slave sections, and have claimed that it then extends throughout the chapter on "Reason," a good deal of which describes what are in effect attempts to avoid the messiness of such social struggle by appeal to an accessible abstract, formal status, The View From Nowhere, the rational point of view. The story here is a story of various *failures* in inhabiting such a status. And Hegel then describes something like the return (in his narrative) of a beautiful version of such a social reality in the first section of the chapter about Spirit (on Greek ethical life), but then that chapter too continues the *via negativa*, an account of Western cultural and political history as a history of *failed sociality*, mis-recognition, naïve assumptions of self-sufficiency or dependence, and so forth: "Self-alienated spirit," "the Terror," "dissemblance," "hypocrisy," "the beautiful soul." (Hegel thus treats the two dominant forms of the modern Western fantasy of individual self-sufficiency: the Enlightenment (and the mastery of nature, including human nature) and romantic notions of individual authenticity.) The spirit narrative clearly is meant to suggest an experiential path from the one-sidedness of the ancient Greek form of a recognitive community,

with a level of social integration that could not properly account for claims of individual conscience, to a modern, conversely one-sided moralism, reliant too much on the private voice of conscience, unwilling to act in a way that would subject its deed to the judgment of others, or stuck in a fierce judgmental hard-heartedness about the necessary wickedness (corruption by self-love) of all actual deeds. These last are all treated as prototypical modern fantasies of normative or rational self-sufficiency. And they clearly raise the question of what would break the hold of such fantasies on the modern imagination. We are supposed to find this narrative persuasive, a defense of the claims made above about social dependence and its proper acknowledgement.

I don't propose to try for a comprehensive view of this narrative here, but I will try to isolate what seems to me one critical element in the answer to the question just posed: *why* believe any of these claims about the necessity of recognition?

v

There is a nice summary account of the issue now before us and that I hope, by this point, sums up the substance of the interpretation presented here:

When spirit strives towards its centre, it strives to perfect its own freedom; and this striving is fundamental to its nature. To say that spirit exists would at first seem to imply that it is a completed entity. On the contrary, it is by nature active, and activity is its essence; it is its own product, and is therefore its own beginning and its own end. Its freedom does not consist in static being, but in a constant negation of all that threatens to destroy freedom. The business of spirit is to produce itself, to make itself its own object, and to gain knowledge of itself; in this way, it exists for itself. (VdG, 55; LPWH, 48)

How does this happen? According to Hegel's most frequent formulations, the engine that drives all of this development forward is said to be "negation"; more specifically, a kind of self-negation. That history of failed sociality mentioned in section IV is a self-inflicted failure. That is, natural consciousness is said to suffer a kind of "violence" at its own hands. The image is of a subject embodying a point of view or world-orientation or self-understanding or practice, which is born in such a way that such a subject comes (apparently unavoidably or inevitably) to create a dissatisfaction with its own deepest principles and commitments. The story of the development of Western spirit is the story of this self-induced

perpetual dissatisfaction with itself. Such disaffection, whatever it is, is not something that can be said to happen *to* whoever the subject of the narrative is; it is *self*-inflicted. (In the Preface, compressing almost the whole book into a formula, Hegel remarks on “the mediation of becoming-other-to-itself [*Sichanderswerdens*] with itself,” and as he often does, defines true human subjectivity as “pure, *simple negativity*” (PhG, 18; PhS, 10). These two notions – the developmental nature of spirit and this self-negating quality – are combined in that quite paradoxical and frequent characterization of spirit in the *Encyclopedia* as a “product of itself” and is the foundation of the claim that “the Absolute . . . is essentially a *result*” (PhG, 19; PhS, 11).

This turn against itself is explicitly said by Hegel not to be like what we now think of as critical reflection, the attempt to examine unexamined assumptions, to take nothing for granted, to think for oneself and not blindly follow the lead of others; in general to see if one can reflexively defend some norm or principle to which one is committed. For, as Hegel briefly argues in the Introduction, all such attempts must commit the very sin against which they preach: any determinate attempt at such reflection must embody something unreflected, as standard or criterion, in order to move forward at all. What I want particularly to stress is that Hegel says, that in any case, what is going on in the *Phenomenology* is not this story, or not primarily the story of this sort of education, as if a Socratic expansion of what is more and more examined in a life or within a culture. In the most relevant passages from the Introduction, Hegel first notes that the doubt in question in his book will not correspond to the usual notion of doubt, which he calls “shilly-shallying about this or that presumed truth” (PhG, 56; PhS, 49). He speaks instead of “this thoroughgoing scepticism” (PhG, 56; PhS, 50), and of an experience of losing one’s way that is so profound it is said to involve “the loss of its own self” (PhG, 56; PhS, 49), all of which he contrasts explicitly with the kind of language Kant had used to define the practical motto of Enlightenment: *sapere aude*. This difference corresponds for some commentators (such as Ludwig Siep) to a difference in the senses of “experience” [*Erfahrung*] invoked by Hegel.¹⁰ The critical, reflective sense just refers to one’s correcting false beliefs and substituting, if not true, then at least better-grounded beliefs, on the basis of “experience.” The more dramatic sense that Hegel appears to invoke is much closer to a complete overturning or

¹⁰ Siep (2000), pp. 63–4.

conversion of consciousness, the kind of change we think of as a religious experience or deep political transformation. I think it is right that Hegel is thinking more of the latter sort of experience; but therein lies the problem. This last is exactly the sort we think most certainly has no “*logos*” or account. It seems to happen to us for a very wide variety of reasons, and the idea that we actually bring this about ourselves, and there could be a science of experience in *this* sense, a “logic” to this sort of experience, indeed as part of some collective purposive activity, seems very counter-intuitive.¹¹

So the question of spirit (recognitive selfhood) raises the question of the status of sociality (in contrast with reflective individuals and self-causing agents), the nature of a developmental logic or a form of rational development for “living,” “moving,” “fluid” concepts, and the distinctly Hegelian notion of self-negation. I suggest that the last question is the best window onto the others: why does Hegel here invoke a level of self-inflicted doubt that reaches “despair” to describe the nature of phenomenological development, and if it is *not* “doubt that my beliefs might not be true” or doubt “that I am really entitled to the normative claims I make,” what sort of doubt/despair is it? Put in terms of another powerful image which Hegel uses much later in the *Phenomenology* to describe the problem facing spirit (and which he repeats in such generality at the beginning of his *Lectures on Fine Art*), what does it mean to say that spirit or even human existence itself is like a “wound” that is (i) self-inflicted, (ii) one which spirit itself can heal, and, even more astonishingly, (iii) one which, when healed, leaves no scars (PhG, 360; PhS, 407). Put another way: Wittgensteinians sometimes talk about being “caught in” or “grabbed by” a “picture.” What Hegel appears to be addressing is the problem of what it is for a “picture” or shape of spirit to lose its grip, cease to command allegiance, fail in some way, and all this in a way that is open to a philosophical, not merely sociological or historical explanation. Indeed, Hegel seems to think that making philosophical sense out of such a process just is what it is to “heal” this experience of loss; to heal it so well that “no scars remain.” This of course requires an answer to the very largest question of them all: what is it to have obtained “absolute knowing” and how could that be said to heal, without scars, the wound of existence itself?

¹¹ The two issues – that such an experience is self-made, and is rationally explicable – are linked. The link could be said to be Kant’s modernity, the claim that reason knows best only what it makes, that reason knows only itself.

VI

There is one interpretive problem that must be addressed first. The language I have quoted is very dramatic and seems to refer to some sort of existential failure in a "shape of spirit," perhaps as manifest in Attic tragedy or the French revolution, a "failure of sociality" that can begin to indicate what the realization of sociality requires. Yet there are a large number of transitions in the *Phenomenology* that do not seem to involve any such notion of failure. The first three chapters come to mind in this respect, as do many of the transitions in Chapter Five. No despair, no bold facing up to death or tarrying with the negative, no religious conversion, seem involved by the realization that perceptual discrimination requires the active work of the understanding, or for the realization that "physiognomy" is self-refuting.

I suggest that Hegel must have in mind two different questions posed by the *Phenomenology*, questions that must be posed separately if we are to understand both why spirit must be understood phenomenologically, and what it is to understand spirit phenomenologically, an approach that, from Chapter Six on seems much more tied to historical actuality. There is a difference, in other words, between the question of possible models of cognizing and acting subjectivity, or putative candidates for such a status which, as quite fragmented, partial, and so distorted "shapes" of a possibly experiencing subject, can not actually stand as models of experience at all, and, on the other hand, a self-dissolving (*sich-auflösende*) "actual" (as he calls it) experience in the full sense, experienced by a historical "shape of spirit," now understood in sufficient complexity to count as a full subject of experience but which just thereby can be shown to undermine its own satisfaction. This distinction, between failing to be a possible model of experience at all, and an actually experiencing subject which can be shown to experience its inability to carry through or realize its commitments, is not a hard and fast one, and at some points in the text it is, admittedly, not clear how Hegel is organizing these possibilities. At some point the appeal to the spiritual life and the fluidity of concepts just seems to amount to a rather forced "personification" of positions in epistemology or theories of freedom, with such representative "characters" arguing back and forth. At other points, there seems instead to be an appeal to an existential logic of sorts, or a demonstration of a different sort of insufficiency or failure, as in the account of the French revolution or of Rameau's nephew. At some points, both strategies seem in play, as in the paradoxes of mastery, which are both conceptual (coerced recognition is not recognition) and, for want

of a better word, existential (there is something unsatisfying in being recognized by one whom one does not recognize).¹²

However, formally, this is not at all a mode of argumentation foreign to Hegel. In his *The Philosophy of Right*, abstract right and morality are not distinct *experiential* stages, partial alternatives to what will turn out to be ethical life. The failure of such limited putative forms of normative mindedness stems from precisely the doomed attempt to think them independently of, as if prior to, and independent of, ethical life. As noted earlier, he says at the end of the Morality section, by contrast with such a view:

The sphere of right and that of morality cannot exist independently [*für sich*]; they must have the ethical as their support and foundation. (RP, 291; PR, 186)

These earlier stages cannot then be said to be actually educative or formative in the way that experience in the family or modern civil society can indeed be said actually to form a rich, living sense of the relation between individuality and universality in a rational form of life. Hegel goes so far as to say in §190, when explaining the differences between the abstractions “person,” “subject,” and the concrete aspects of ethical life, that it is only well along in the account of ethical life, in a distinct form of sociality – certain relations of needs – that it is even possible for the first time to refer to such a putative bearer of right as “the human being” (RP, 348; PR, 228). And this seems to mean just what it says: that putative (*vermeintlich*) relations merely of right or morality cannot, considered on their own, be said to be fully human relations.

Something very similar is going on in the crucial third paragraph of [Chapter Six](#), Spirit:

Spirit is thus self-supporting, absolute, real being. All previous shapes of consciousness are abstract forms of it. They result from spirit analyzing itself, distinguishing its moments, and dwelling for a while with each. This isolating of those moments *presupposes* spirit itself and subsists therein; in other words, the isolation exists only in spirit which is a concrete existence. (PhG, 239; PhS, 264)

We still need to know how spirit can be “self-supporting” as well as just also thereby being self-negating or “self-wounding,” but the point for the moment is to notice how Hegel makes this separation between the

¹² It is also open to a critic to say at this point: if Hegel wanted to say, as you seem to be suggesting, that the *Phenomenology* really only truly begins in [Chapter Six](#), he could have said so. I am trying to respond that, in a way, that is exactly what he did claim.

analysis of what will turn out to be non-separable moments of spirit, abstractly considered *as if* possibly distinct models of experience, and spirit's actual experience of itself, as Hegel keeps putting it. At this point, just at the conclusion of his account of the ultimately impossible attempt to consider practical reason in such an isolated way as a faculty of an individual subject, he puts the point this way:

Finally, when this Reason which spirit *has* is intuited by spirit as Reason that *exists*, or as Reason that is *actual* in spirit and is its world, then spirit exists in its truth; it *is* spirit, the *ethical* essence that has an *actual* existence. (PhG, 239; PhS, 265)

Another very odd formulation – a transition from a subject which *has* reason to one which sees itself *as* reason – but as in many other formulations about this break in the text (from, let us say, the component conditions for the possibility of spirit to the attempts by actual spirit to know and realize itself) the key phrases concern “actuality,” “actual,” and “actualization.” Such an emphasis continues in the crucial meta-phenomenological remarks at the beginning of the Religion chapter.

Here Hegel makes a distinction between what should be phenomenologically represented as happening in time and what should not. In making pretty much the distinction noted above, he says quite explicitly that the “presence” of the moments consciousness, self-consciousness and reason in spirit, and spirit's representation to itself of its own significance in religion are “not to be represented as occurring in Time” (PhG, 365; PhS, 413). This is only one way of considering the elements of and possibility of experience that Hegel is treating as preliminary, if also crucial and indispensable. Such a way of considering such inseparable moments in separation from one another is then distinguished from the representation of “the totality of spirit”:

Only the totality of spirit is in Time, and the “shapes,” which are “shapes” of the totality of *spirit*, display themselves in a temporal succession; for only the whole has true actuality and therefore the form of pure freedom in face of an “other,” a form which expresses itself as Time. (PhG, 365; PhS, 413)

This interesting but very compressed passage connects the themes of actual spirit (as opposed to possible models of spirit), temporality, and freedom, and so provides a hint of how and why Hegel thinks of spirit's self-realization in time as a manifestation of freedom. For the moment though, the point is that, if only the totality of spirit or spirit as spirit is in

time, and so must be studied as such, and we have not been doing so heretofore, then we have not yet begun the study of spirit in its actuality. It is only now, after all, that we are beginning to get in view what spirit as an actually experiencing subject is. Even the subject of Chapter Six is still a limited treatment because, as Hegel says at the beginning of the Religion chapter, spirit does not yet know itself as spirit and so regards religion, the representation of its (ultimately) absolute status, as but one of the distinct experiential components of a life. This is confirmed quite clearly and definitively when Hegel, in describing what the *Phenomenology* will now be about, compared to its earlier discussions, says:

These shapes, however, are distinguished from the previous ones by the fact that they are real Spirits, actualities in the strict meaning of the word, and instead of being shapes merely of consciousness, are shapes of a world. (PhG, 240; PhS, 265)

We are, in other words, under way in just what Hegel often says the *Phenomenology* is, an Introduction or even a propaedeutic. For most of the *Phenomenology*, we are, strictly speaking, not yet studying or coming to understand spirit; we are coming to understand what such a mode of self-knowledge would have to be, and to speak plainly, we are coming to see that it must be historical, that spirit is only what it has made itself in actuality. Only as historical can consciousness be given “the form of free actuality,” and so be understood as spirit; “but only spirit that is object to itself as absolute spirit is conscious of itself as a free actuality to the extent that it is and remains conscious of itself therein” (PhG, 365; PhS, 412). Given this understanding of spirit being object to itself as absolute spirit, perhaps it is not too premature to suggest that this realization of the necessity to understand spirit in its actuality has something to do with attaining absolute knowledge.

But it is certainly somewhat premature. We need also to return to the question of self-inflicted wounds. The idea that for Hegel human subjectivity should be understood as self-made across time and that at the heart of such making and re-making are commonly held or social forms of self-understanding, undergoing cycles of gaining and losing social authority, are familiar aspects of so-called left-Hegelian interpretations. But two aspects of Hegel’s position have prevented his basic idea from having had much contemporary resonance: the idea (which now seems naïve) that this self-making has an underlying fixed teleological direction, and that it has a goal or *telos* which, in some sense or other, is beginning

to be achieved in Western modernity. This is another way of saying again that, when Hegel introduces his appeal to experience as manifesting the fluidity and spiritual life of concepts, he is introducing what almost everyone now regards as wholly *a-logos*, merely the wild and random contingency of a particular culture's historical life and its various internal disputes about authoritative norms. The idea that philosophy could be, indeed must be, *about all that* is not regarded as a contemporary option.

VII

These doubts return us again to the question of "suffering violence at its own hands," "tarrying [*verweilen*] with the negative," and self-inflicted wounds as the engine driving forward this development in a way Hegel thinks of as rational and, because rational, the realization of freedom. It is in the final chapter on Absolute Knowing that Hegel attempts to clarify one final time this "logic of experience" that he has appealed to throughout. That logic can appear to involve merely the test of various norms for cognizing and acting against experience as a kind of independent validator, an exposure to possible negation or an experiential measure that forces alterations in what had been self-certainty. But Hegel begins to explain in more detail in this chapter that this would be far too simple a way of viewing what has gone on. Rather, the "externalization" of some sort of self-conception or normative commitment (by which he also means the "negation" of what begins as mere subjective certainty) is internally driven and such experience does not function as an independent validator or external test but as helping to fix or realize or "fulfill" the determinacy of some self-understanding or *conceptual content itself*.¹³ Experiential manifestations are not "instances" of such content, or examples; such dimensions *make up* the concept's content.¹⁴ He points out that it was precisely the error of the beautiful soul and a strict moralism of pure duty to regard itself as in opposition to an external public world subject to the interpretations of and implications for others that a subject could not control and so would cease to recognize as "his."

¹³ Any full discussion of this issue would have to take account of the implications of Hegel's criticism of the way Kant distinguishes concept and intuition in his first *Critique*. Said another way, what I am claiming in this passage is that *these* are the implications of denying any strict separability of concept and intuition.

¹⁴ This is a crude and simplistic summary. Hegel is no nominalist. He seems to think of his positions on universals and particulars as Aristotle's "immanentist," anti-*chorismos* (separation) position, with the crucial and huge additional claim – that such universals "move", are in time, change.

When he tries to explain what it would be to give up such an attitude, he begins to describe what he clearly regards as the most important movement in all of the *Phenomenology*. His introduction of this explanatory language is important enough to warrant a full quotation:

Since the Concept holds itself firmly opposed to its realization, it is the one-sided shape which we saw vanish into thin air, but also positively externalize itself and move onward. Through this realization, this objectless self-consciousness ceases to cling to the *determinateness* of the Concept as against its *fulfillment*; its self-consciousness gains the form of universality and what remains is its true Concept, or the Concept that has attained its realization; it is the Concept in its truth, viz., in unity with its externalization. (PhG, 426; PhS, 483)

This passage introduces formulations that, as we have seen, would become canonical in Hegel's work, especially the insistence that we need to understand a concept in its "actuality," that so understanding conceptual content is true understanding, a comprehension of the idea, defined as the concept together with its actuality. And it formalizes the *Phenomenology's* claim to understand concepts in their "spiritual lives" and as always "self-moving," as well as the claim that this notion of "living" content is the result of a content-constituting, unavoidable self-externalization, not the submission of an *ex ante* determined content to an external experiential test.

VIII

So far these just seem to be reformulations of the problem and they serve mostly as a warning about how much and what sort of attention to historical change would have to be involved to understand properly both the content and the authority of "thick" concepts like "freedom," "justice," "explanation," "beautiful," "pious," and so forth. But in the next paragraph, Hegel takes a giant step towards clarity when he tells us, and then repeats several times throughout this pivotal chapter, that a paradigmatic instance of the logic of self-externalization and so fulfillment and re-unification with externality is an old friend of ours by now: "the self-assured spirit that *acted*" (PhG, 426; PhS, 484). He is appealing here, I would suggest, to the two most important discussions of action in section c of Chapter Five of the *Phenomenology*, "Individuality which takes itself to be real in and for itself" (a passage the point of which is to show that individuality *cannot* be "real in and for itself") and section c of Chapter Six of the *Phenomenology*, "spirit that is certain of itself. Morality" (the

point of which again is to show that a subject could *not* coherently carry through a merely self-certain conception of itself). In both passages, Hegel offers a phenomenology of what amounts to the standard or default understanding of the distinction between actions and events in the modern Western tradition, and of the relation between individual and deed, and he exposes their limitations in ways ultimately of great relevance for the question of absolute knowing.

As we have seen, in both the relevant sections of the *Phenomenology*, Hegel tries to exhibit phenomenologically the severe limitations of the standard modern positions and proposes instead to look not at several distinct causally initiated phases of an action but to view actions as evolving and changing expressions of a subject's intentions over an extended time, determinate only in extended confrontation and reaction within what Terry Pinkard has called "social space," and not the causal results of a discrete event.¹⁵ That is, to recall the issues discussed in chapter 6 here, Hegel denies that the right way to fix the determinacy of an action, to determine just what it was that was done, is to look exclusively to a subject's *ex ante* formulated intention. He insists that such putative intentions cannot, if they are to be understood as actual intentions, be temporally isolated from their expression in action, that such subjective formulations and reasons change in the course of the deed, and that it is quite possible that persons can be wrong about their actual intentions and motivation, that only as expressed in the deed in this public, social space, is it clear what they are committed to and sometimes clear why. He is about to make quite a lot of hay with that claim, but we should note again the obvious: that this is a counter-intuitive position. It means that a subject can sometimes only "learn from the deed," as Hegel says, what it is he did and what his stake in the deed actually was, and it implies a deep dependence on the reception of the deed in society as helping to fix determinately what in fact was done. But in our context, this position makes intuitively clearer why Hegel is referring so frequently to this position as a way of explaining why there is no strict separation between a concept and its "actualization" or "fulfillment," why the comprehension of conceptual content requires attention to the "fluidity" and "living spirituality" of a norm, what I have identified as the core position of the *Phenomenology*. In Hegel's view in the relevant sections of the *Phenomenology*, actually to *have* an intention

¹⁵ Throughout the argument made in Pinkard (1994).

is to struggle to express that intention in a public and publicly contestable deed, subject to great temporal fluidity and to appropriations and interpretations by others that can greatly alter one's own sense of what one is about.

It is, to use Hegel's term, to "sacrifice" the purity and certainty (and so security) of one's self-understanding and to subject oneself to the reactions, counter-claims, and challenges of others. Were one to remain in the Inner Citadel of Subjective Certainty, or cling only to what can be formally definable, one's self-understanding would have to remain suspended in doubt – the question of whether I am actually committed to what I take myself to be, the question of the actuality of any self-image, or any claim about normative propriety, would be left suspended, and because of that could be counted as much a fantasy of resolve or intention or commitment as genuine. Action must be understood as a self-negation in this sense, a negation of the subject's pretension to complete ownership of the nature and import of the deed, and therewith the sharing of such authority with others, or even the sacrifice of philosophy as an ahistorical *a priori* discipline in the traditional, both Platonic and Kantian, senses. All of this can seem like "the way of despair" just in the sense Hegel suggested, "the loss of its own self" (PhG, 56; PhS, 49).¹⁶ But as in many other examples of Hegel's Christian imagery, the experiential *Bildung* can show that by this loss of a false independence and mastery, one has gained true independence, referred to in *The Philosophy of Right* as being "with itself . . . in this other" (RP, 57; PR, 42).¹⁷

¹⁶ Cf. especially with respect to the speculative identity Hegel maintains exists between inner and outer in action: "The power of spirit is only as great as its expression, its depth only as deep as it dares to spread out and lose itself in its exposition" (PhG, 14; PhS, 6).

¹⁷ Hegel here makes what he would consider a "logical" point about the major events in "both" bibles. The story of creation in the Hebrew Bible represents the insufficiency of a God merely contained with himself, and so the need to "empty" [*entäussern*] himself in creating the world. (There is little doubt that Hegel accepts the Lutheran take on this word – Luther's translation for *kenosis* – and goes farther, claiming as a meaning for the image that God had to empty or lose or externalize himself in what appeared other than him in order finally to be God. I follow here Terry Pinkard's translation and reading in his forthcoming translation of the *Phenomenology*.) And in the New Testament the imagery is even more Hegelian. God the Father had to become his own son, externalized in the world and lost to him (to himself), preparing the way for reconciliation, or the Holy Spirit. The deeper point here is also, I would argue, ultimately politico-ethical: Christ's iconic status as both Master and Servant, his own father and his own son, at the same time. There is a concise summation of Hegel's position in the later (1827–8) lectures on the Philosophy of Spirit, which also testifies to the centrality of this point for his whole ethics. "All the virtues have this foundation as does love . . . But precisely [in] this condition of self-externality [*Äusserlichkeit*], of being beyond the limits of one's individuality, one gains one's substantial self-consciousness. This is the condition of being recognized" (VG, p. 174; LPS, p. 194).

IX

This is the sort of language Hegel uses several times in the “Absolute Knowing” chapter. He remarks:

Through this movement of action, spirit has come on the scene as a pure universality of knowing, which is self-consciousness, as self-consciousness that is the simple unity of knowing. It is only through action that spirit *is* in such a way that it is *really there*, that is, when it raises its existence into Thought and thereby into an absolute *antithesis*, and returns out of this antithesis, in and through the antithesis itself. (PhG, 427; PhS, 485)

What is highlighted in the Hegelian account of the nature of action, what he takes as paradigmatic for the logical form of reconciled experience and knowledge of this requirement (i.e. absolute knowing), is what he had described in the following way:

This letting-go is the same renunciation of the one-sidedness of the Concept that in itself constituted the beginning; but it is now its own act of renunciation, just as the Concept which it renounces is its own Concept. (PhG, 426–427; PhS, 484)

And so,

to set in motion the *immediacy of the in-itself* . . . or conversely, to realize and reveal what is at first only *inward* (the in-itself being taken as what is *inward*), i.e. to vindicate it for spirit's certainty of itself. (PhG, 429; PhS, 487)

In this context Hegel reverts to his sacrificial metaphors and notes how each side of this opposition – formal universality versus rich, living content, or a purely self-certain formulation of subjective intention as the essence of an action, versus the meaning and scope of responsibility assigned to one by others, or pure duty versus the inescapable relevance of all-too-human, sensible motivations – can be said to “die” (*sterben*) to the other. The paradigm picture he keeps reverting to is of an acting subject so stubbornly insistent on the decisive role played by his subjectively formulated intention, so insistent on the individual authority to determine the determinate content of what was done and what scope the action should include, that the actual transition from intention to action is experienced as a regrettable qualification and intrusion on such purity. The execution of an intention is as much a violation as expression. This is shown to lead to a “experiential” impasse, generating various existential pathologies: “the law of the heart,” “the frenzy of self-conceit,” “the spiritual animal kingdom and deceit, or ‘the matter in hand’ itself,” and “the ‘beautiful soul,’ evil” (PR, xxxiv). Neither side of this fantasy world,

either a self-conception as a contingently motivated, passion-satisfying engine, or a pure self-legislating noumenal subject, can “actually” *act* on its self-conception and so would die a kind of living death without the moment of reconciliation and “sacrifice” that Hegel points to.

So from an initial, subjectively self-certain point of view, action looks like a self-negation, a violation of the purity and exclusive ownership of the deed thought to be a condition for seeing myself in the deed and so for freedom. But Hegel tries to illuminate the enormous burden carried by such a self-understanding, tries to render experientially plausible the claim that such stubbornness will eventually “break” under such a burden (as in “the breaking of the hard heart” in “Morality” (PhG, 360; PhS, 407))¹⁸ and that ultimately such a subject will come to understand such a negation of its own pure subjectivity as the true realization of such subjectivity. This burden is not solely or even mainly a matter of logically incompatible commitments and this “breaking” is not merely the conceptual resolution of such incompatibilities. To think of it this way would be to perpetuate the one-sidedness whose hold the *Phenomenology* is trying to break.

I think Hegel is right that this reliance on the analysis of action to illuminate the central movement of the *Phenomenology* is helpful. If one keeps it in mind, passages like the following are clearer. In commenting on the content of an “I”’s self-knowledge, he remarks:

It is only when the “I” communes with itself in its otherness that the content is *comprehended*. Stated more specifically, this content is nothing else than the very movement just spoken of; for the content is spirit that traverses its own self and does so *for itself* as spirit by the fact that it has the “shape” of the Concept in its objectivity. (PhG, 428; PhS, 486)

But this appeal by Hegel to his account of action raises the question of why he thinks there are such important implications of that account for the *Phenomenology*’s account of conceptuality (and its development) itself. This is a large topic, but I have been suggesting that Hegel treats the problem of conceptuality as in general the problem of normativity, where that simply means: the question is what ought to be done to render a phenomenon intelligible and how actions ought to be justified (what ought to be believed and what ought to be done, one could say), not how the brain processes information or what actually motivates human beings. A recent commentator (Brandom) is right that for Hegel the “realm of

¹⁸ This is the same paragraph where Hegel makes the remark, “The wounds of the spirit heal, and leave no scars behind” (PhG, 360; PhS, 407).

das Geistige" is "the normative order," and it is now well known and much appreciated that conceiving of the central modern dualism not as a metaphysical issue about nature and freedom, or materialism and immaterialism, but as a "logical" or categorical issue about the natural and the normative, or as Sellars first formulated it, the space of causes and the space of reasons, has catapulted Hegel back onto the world, especially Anglophone, contemporary scene in an exciting way.¹⁹ It is also true that Hegel thinks of concepts or norms functionally, in Kantian terms as predicates of possible judgments and then goes much farther than Kant in linking any possible comprehension of conceptual or normative content to actual use within a linguistic and norm-sensitive or judging community. That is, while Hegel's basic category theory is a theory of normativity (norms for rendering the world intelligible and for acting righteously), it is not a formal, prescriptive theory. Conceptual content is understood as fixed by actual use, so there is no "ought/is" split, although emphasizing this point again highlights the importance of Hegel's developmental claims. Moreover, as we have also seen, the direction of this interpretation ultimately requires that the nature of the authority of such normative constraints and ideals is self-legislated, that Hegel's self-making language (that spirit is a product of itself) is not an entry into philosophical anthropology, but the beginning of an account of the nature of such authority and echoes Kant's famous claim in the *Groundwork* about our having to be the author of whatever laws we are subject to, subject ourselves to. Under these assumptions, exercising normative authority *in general* is understood very much like the expression of intention in a public, social space, functioning as authoritative only if there is a sufficiently harmonious social, meaningful context, and responsive, in the right way, to possible challenges to such authority.²⁰

X

I have claimed that Hegel's account of norms is anti-formalist and functional, that conceptual or normative content can be understood only by

¹⁹ I mean only to describe the contemporary context of the normativity discussion. The idea itself stems from Kant's distinction between *quid iuris* and *quid facti* questions, and a full treatment of the bearing of that distinction on the history of philosophy would have to include the great attention given that question by the so-called "Southwestern" neo-Kantians, especially Wilhelm Windelband (who inherited his sense of the basic issue from Lotze), Heinrich Rickert, and Emil Lask, all of whom made use of the distinction to ward off threats from psychologism and historicism in a manner similar to similar "anti-naturalism" strategies in current discussion.

²⁰ In the Preface, "Reason" is glossed as "*purposive activity*" (PhG, 20; PhS, 12).

understanding actual historical and social practices of claim-making and action-justification, that Hegel is particularly interested in the failure or breakdown of normative proprieties, understood as instances of “self-negation” or self-undermining, and that Hegel is right that the logic of action is a useful paradigm for understanding the general relation between concept and actualization.

With this general picture in view, we can see a bit more clearly how Hegel understands the developmental and progressive character of such practices. He clearly wants to claim that we get better at justifying ourselves to each other the more institutions objectively embody “recognitively” the equal status of all participants, and the less we are tempted to appeal to unmediated, putatively external or independent guarantors of such authority, like revelation, tradition, or moral intuition.

But there is no methodological or *a priori* way to claim that such practices must be progressive. (The question one is often asked is: “how does Hegel know that these developments are progressive?” And the answer is that neither he nor anyone can show that historical change must be progressive.) We get to make such a claim only if we can show that some practice and its failure and a community’s recovery after such a failure can be understood in these terms. Hegel’s accounts of Greek tragedy, of the Enlightenment’s struggle with religion, of Jacobin politics, of romantic notions of interiority, and of modern moralism are all, I think, compelling examples of such an approach, once we, as it were, know what to look for.

Admittedly, this sketchy summary assumes quite a lot. In fact it is enormously contentious. The idea that a form of irrationality, understood this way, can be experienced as a kind of suffering, one determinate enough to explain the cycles of authority and loss of authority in the normative history of community, is an extremely controversial one. The empirical evidence is pretty strong that human beings can live with the putative burden of irrationality or indeterminacy for quite a long time.²¹

²¹ There is also a much larger issue at stake, something seen very clearly by Carl Schmitt, who noted that there is no place in Hegel for “existential decision” of the “either/or” sort that Schmitt insisted on because there is no absolute opposition between good and evil; nothing according to Hegel affects the development of world history “from the outside”; and “If the history of the world is the world’s court of judgment, then it is a process without a final instance and without a definitive disjunctive judgment.” Schmitt (1926), p. 68. Even more disturbingly for Schmitt, Hegel, Schmitt sees clearly, understands the concept of “friend and enemy relatively,” dialectically. Said differently, Schmitt sees that revealed religion, traditional Christian morality, any chiliastic “end-of-history” view and Schmitt’s own conception of the political all make no sense in Hegel’s system

But Hegel makes no claim that his account is predictive. It is clearly a retrospective and reconstructive sort of teleology, and it targets for comment only those actual moments where some correction in the abstract opposition between putative normative content and its externalization come to be experienced in a way less subject to such a dualism, and to comment on the significance of such moments within an overall account of spirit's self-knowledge. Of course, it would take several studies, no doubt several books, to work out the details of this account of determinacy, understood as a kind of self-negating or self-externalization that not only concedes that a coherent social context and appropriate social reception is necessary for meaningfulness, but that the contestations inherent in such a context can be shown to have an intelligible form, and then a few more studies to understand why Hegel thinks this view is superior to the Kantian doctrine of concept and intuition, or Fichte on the self-positing of the Not-I, or Schelling's *Indifferenzpunkt*, prior to all such distinction.

If all of this is so, then Hegel is claiming there to be a far deeper level of human dependence than would be claimed by mutual commitment to an ideal communicative exchange, or mutual obligation to a moral law. The content of one's status as individual and not just the linguistic form of its expression also is taken to reflect such recognitional dependence. This has nothing to do with some sort of complete absorption of individuality into intersubjective determinations, and Hegel's politics retains a liberal basis in determinate individuals. He may have re-interpreted *what it is* to be an individual, treating it now as the achievement of a kind of capacity, a capacity especially to negotiate successfully various boundary problems in the play of an acknowledgment of social dependence and the inevitability of individual self-assertion. But he celebrates constantly the Christian principle of subjectivity as the heart and soul of modernity's achievement and attacks only what he regards as naïve and dangerous exaggerations of subjective self-sufficiency, even as he also locates the achievement of such individuality within an intersubjective struggle. All of which just adds to the stakes involved in asking what acting in the light of such dependence would be like.

One of the things involved is participation in a certain kind of institutional life, and not just any institution but only those institutions that can count as rational. So what does Hegel mean by such "institutional rationality"?

CHAPTER 9

Institutional rationality

“die Philosophie ist etwas Einsames.” (Hegel, 1807)¹

I

“Right is concerned with freedom,” Hegel notes in the Remark to §215 of his *The Philosophy of Right*, and freedom is “the worthiest and most sacred possession of man.” The question at issue has been in what Hegel thinks such freedom consists, and especially what acting in acknowledgment of its status as this “highest” value amounts to. The short answer to the first question is: freedom is a form (a distinct Hegelian, social form) of rational agency. The short answer to the second is that the full realization of such a dimension of human life requires active participation in certain modern institutions, a life in modern “*Sittlichkeit*.” As we have been seeing throughout, these two answers are interwoven and finally inseparable.

On the issue of freedom itself, the interpretation has been that while Hegel regards the expression of free agency – actions – as things done by agents intentionally, on intentions (or, said negatively, that we cannot demarcate the distinct events that are actions without taking account of the agent’s own take on what is to happen and why), and while the formulation and execution of intentions is a matter of bringing practical reason, our deliberative capacity, to bear on what ought to happen, no account of this intra-psychic subjectivity can be complete or satisfactory without a proper appreciation of the nature of the dependence of this subjective side of the matter on the social world wherein such subjective takes are formulated and acted on, as well as contested, accepted, or rejected. The self-relation essential for an event counting as an action is also already itself a manifestation of relations-to-others.

¹ Letter to Zellmann (B, 1:137).

Partly this claim makes a general point about the nature of practical reasons brought to bear in deliberation (where deliberation itself is understood as continuous with participation in a practice or institution, not an independent evaluation, as if from the standpoint of practical rationality itself). Such considerations change, and they change as a function of the social world as a whole wherein they play their role in deliberative possibilities. (Antigone has not “deduced” from the requirements of pure practical reason what a sister is bound to do, any more than Cordelia has “reasoned out” what a daughter is not, *qua* daughter, bound to do.)² There are, however, no relativist implications to be drawn from this fact, because, according to Hegel, we can be said to be getting better at the process of such justification. (There is such a thing as “better,” even if only “internally.”)

Partly this feature of reasons is a result of Hegel treating practical reasoning less like a faculty, or individually owned capacity (although it is certainly partly that), and more like a way of participating in a social practice, an internalization of what can be at a time demanded and offered by and to others as justifications for what one is doing. But at a deeper level the dependence Hegel is arguing for is a more intimate sort. The way the deed is taken up, interpreted, and reacted to by others figures is an essential element in any determination of what the deed could be said actually to be, and even figures in what intention can rightfully be attributed to the agent, even by the agent.

The task for chapters 6–8 has been to determine more precisely the nature of this claim about the deep dependence of such a self-relation on some sort of relation to others. As we saw in chapter 6, these subjective and social dimensions can certainly come apart, be in some serious tension. An agent can take herself to be doing something and acting on intentions, for reasons that could conceivably all be rejected by others, much in the way that an authoritative received interpretation of an art work could differ from, and even be more adequate than, the artist’s. But Hegel’s theory takes such a possibility very seriously (by suggesting we start our inquiry with as few assumptions as possible, by thinking of such a relatedness as nothing but an unregulated contestation like this) and he tries, with this theory of recognition, to establish the form of social

² Antigone may think that the ancestral gods require this action of her, but she is not responding as if a believer in a “divine command” moral theory. What would be unacceptable to her would be being a sister, living on as one, without having buried Polyneices. “That the gods demand it” functions more like a confirmation of what cannot be avoided.

relatedness in which I could come to experience my own take on matters as “in synch” with others, reflected back by them in ways I recognize. This would be true mutuality of recognition and establishing its possibility would establish one of the necessary conditions of leading a free life, of avoiding an alienated life, one wherein my deeds, and what becomes of them in the social world I inhabit, would be experienced as alien, not fully mine.

But the discussion of recognitive status is not the only way Hegel addresses the nature of this dependence claim. In *The Philosophy of Right*, the problem of freedom (of rational agency) is discussed in terms of a “priority of sociality” thesis, that what might appear to be independent instances of individual agency – mere arbitrary freedom, or doing what I please (a dimension Hegel does not at all wish to exclude or deny), and moral, individually responsible agency – can also be said to depend for their possibility (for any successful account of their intelligibility) on “ethical life,” the social order Hegel calls *Sittlichkeit*. I have cited a couple of times already the clearest formulation of this claim; it is from one of Hotho’s Additions (to §141):

The sphere of right and that of morality cannot exist independently [*für sich*]; they must have the ethical as their support and foundation [*sie müssen das Sittliche zum Träger und zur Grundlage haben*]. (RP, 291; PR, 186)

The kind of action and agent-status typical of “rights claims” and “moral claims of duty” are themselves expressions of, presuppose, already established social bonds. Since *das Sittliche* could just as well be called the social order, we have here another instance of the “sociality of action” or “dependence” claim.

Indeed, for many readers, Hegel goes too far in such a dependence claim. An oft-cited passage is §145:

The fact that the ethical sphere [*das Sittliche*] is the system of these determinations of the Idea constitutes its rationality. In this way the ethical sphere is freedom, or the will which has being in and for itself as objectivity, as a circle of necessity whose moments are the ethical powers [*die sittliche Mächte*] which govern the lives of individuals. In these individuals – who are accidental to them – these powers have their representation [*Vorstellung*], phenomenal shape [*erscheinende Gestalt*], and actuality [*Wirklichkeit*]. (RP, 194; PR, 190)

This passage links rationality and freedom again, but in this case Hegel is clearly stressing another dimension of the rationality claim, its objective side. Individual reflection and deliberation may be institution-bound,

ruled, or governed by institutional rules (one deliberates for the most part *qua* rights-bearer, or *qua* family member, or *qua* citizen, where deliberation is oriented from the question of what it is good to do, *qua* any of these roles), but such dependence is not a qualification or restriction on freedom, understood as an individual's exercise of rational agency, because such institutions themselves can be said to be objectively rational. My internalization of their rules is an internalization of what stand in themselves, and function in me as, effective reasons, genuine justifications.³

This is all of course, one of the most famous and infamous aspects of Hegel's position, that he has a "social role" theory of ethical conduct. Perhaps the most typical Hegelian claim about such actual or objective freedom is from his *Introduction to The Lectures on the Philosophy of World History*:

Every individual has his station in society, and he is fully aware of what constitutes a right and honorable course of action. If someone declares that, in ordinary private existence, it is not at all easy to decide what is right and good, and if he considers that moral excellence consists in finding it extremely difficult to be moral and in having all kinds of scruples about being so, we can only attribute this to his evil or malevolent will which is looking for excuses to escape its duties; for it is by no means hard to recognize what his duties are. (VdG, 94; LPWH, 80)

This is the foundation for the even more infamous claims later in the *Introduction* to the *Lectures*, that "Only in the state does man have rational existence" (VdG, 111; LPWH, 94), and in his unpublished 1818–19 *Rechtsphilosophie* lectures that it is "only in the state that the concept of freedom comes to its self-sufficient existence" (VPR 1; 222). Most speculatively: "The divine principle in the state is the Idea made manifest on earth" (VdG, 112; LPWH, 95).

In the context of the philosophy of history, these remarks can seem to appeal to Hegel's supposed historical theodicy, and so a sanctification of modern sociality as rational. But Hegel does not of course mean that any modern institution, just by being modern, can be said to represent the actualization of freedom, and so only some of one's social roles can be said to embody actual ethical norms and requirements. The content of a

³ In one sense, the offending passage is stating what most today would regard as obvious. There is a dimension of the state or social order as a whole that is viewed as more important than the individual lives and interests that make it up, that such an institution does not exist for the benefit of such individuals, and from a certain point of view can be said to be "indifferent" to such individuals.

free life may derive from carrying out various modern, actual social roles, but this is again because the execution of those distinct roles can be said to be rational. Already in the remark to §3 of *The Philosophy of Right*, Hegel notes

a determination of right may be shown to be entirely grounded in and consistent with the prevailing circumstances and existing legal institutions, yet it may be contrary to right [*unrechtlich*] and irrational in and for itself, like numerous determinations of Roman civil law. (RP, 36; PR, 29)

He also makes clear later that there can be historical periods where the major actual institutions have, as he puts it, a “hollow, spiritless, and unsettled existence,” when finding one’s duty in what is socially required would be a mistake, however indeterminate and unsatisfying the “inner subjective world” retreated to would be in such cases.⁴ So, when, in *The Lectures on the Philosophy of History* Hegel again counts as objective freedom a citizen’s functioning in the role of a citizen of the state, he again insists that this is so under a clear condition: when this “substantial freedom” can be counted as an expression of “the reason which is implicit in the will [*die an sich seiende Vernunft des Willens*] and which develops itself in the state” (VPG 135; PH, 104, translation altered). By the time of the Berlin version of the *Encyclopedia*, Hegel was well aware of the charge that his insistence on genuinely actualized freedom merely sanctified the historically positive, and he expressed amazement that anyone could have so understood him. “[F]or who is not acute enough to see a great deal in his own surroundings which is really far from being as it ought to be?” (EL, 49; EnL, 10). This must mean that he thinks there is some work to be done in support of any claim that a modern institution is rational. That it happens to exist later or has come to be in history are hardly sufficient for such a demonstration.

These claims are all a more concrete version of the normative ideal Hegel had spoken of previously as mutuality of recognition, wherein wills are not willing as particular self-interested agents in a game of dominance and submission, but with no bias, on grounds all could accept (that is, when the basis of the claims they make on each other is reason). Indeed, despite the substantial literature that claims Hegel had by the time of the *Rechtsphilosophie* abandoned the intersubjective aspects of his account of recognition,

⁴ The situation would be tragic, in other words, since reliance on such subjective certainty alone would still produce indeterminate and unreliable results, even if that (that reliance on conscience), was all that such a social world would make available for guidance.

he himself calls direct attention to this issue in *The Philosophy of Right*, using the terminology of the Reason chapter (V) of the *Phenomenology*:

since action is an alteration which must exist in the actual world and thus seeks recognition in it, it must in general conform to what is recognized as valid in that world. Whoever wills an action in the actual world has, in so doing, submitted himself to its laws and recognized the rights of objectivity. (RP, 246; PR, 159)

This is in effect a gloss on *The Philosophy of Right's* language, introduced by Hegel as “the right of the rational – as the objective;” the question is what Hegel might mean by such a claim for objective rationality.

Further, to add to the complexity of Hegel's position, despite the talk of ethical “powers” in the §145 passage, Hegel makes it clear throughout that he does not think such objective or institutional rationality supersedes or trumps or renders inconsequential in some way what an individual agent would find rational to do *qua* individual. “In right, man must meet *with his own reason*” (RP, 17; PR, 13–14). And such an insistence is repeated many times in *The Philosophy of Right*. (For example, in the remark to §132: “The right to recognize nothing that I do not perceive as rational is the highest right of the subject” (RP, 245; PR, 159).) So perhaps it would be better to say that the question we face concerns how to understand Hegel's claim that freedom involves acting rationally in a way that includes both a subjective and objective (or institutional) dimension of rationality.

The subjective half is what Hegel calls “the right of the subject to find satisfaction in the action” (RP, 229; PR, 149). As in the discussion in chapter 6, this principle is of the utmost importance in Hegel's philosophy, since it amounts to his interpretation of the philosophical significance of Christianity, and therewith is the foundation for his whole theory of the modern world. So, most famously, for the Greeks, “customs and habits are the form in which the right is willed and done,” and “we may assert” of the Greeks “that they had no conscience; the habit of living for their fatherland without further reflection was the principle dominant among them,”⁵ and therefore Greek ethical life “is not yet absolutely free and not yet completed out of itself, not yet stimulated by itself” (VPG, 308, 309, 293; PH, 252, 253, 238, translations altered). By contrast,

⁵ See also Hegel's handwritten notes to §147 of *The Philosophy of Right*, where Hegel again says that “the Greeks had no conscience” (VPR, 2:553; also LPWH, 213). And in the *Lectures on the Philosophy of History*, see his remarks about the significance of Luther and the Reformation, especially the idea that in a way (an emotional way, “in the heart”) “the” truth can be apprehended by each and every subject (VPG, 495–496; PH, 416).

[T]he substance of spirit is freedom. From this we can infer that its end in the historical process is the freedom of the subject to follow its own conscience and morality, and to pursue and implement its own universal ends; it also implies that the subject has infinite value and that it must become conscious of its supremacy. The end of the world spirit is *realized* in substance through the freedom of each individual. (VdG; 64; LPWH, 55)⁶

Further, it is not sufficient merely that subjects actually have some sort of implicit, subjective faith in the rectitude of their social and political forms of life, that they in fact subjectively assent. When Hegel discusses the compatibility of this right to subjective particularity with a recognition of the universal claims of reason, he insists that in modern ethical life individuals both “direct their wills to a universal end” and also that they act “in conscious awareness of this end”; they “knowingly and willingly [*mit Wissen und Willen*] acknowledge this universal interest even as their own substantial spirit and actively pursue it as their ultimate end” (RP, 406–407; PR, 282).⁷

So “conforming to right,” and “being rational in and for itself,” and participating in certain institutions, all amount to the same thing, and the same thing they amount to is the state of actual freedom. Having practical reasons is, for the subject, at least partly following institutional rules, and the quality of those reasons, let us say, is a function of the institution’s objective rational status. Moreover, like Rousseau and Kant and Fichte,

⁶ It is not at all clear just how Hegel means to contrast this so-called modern principle of subjectivity with pre-modern, especially ancient “shapes of spirit.” The surface of his claim, that Greek individuals “had no conscience,” did not reflect, lived only and immediately for the fatherland, etc. is absurd. Nothing in Sophocles’ play makes any sense unless Antigone and Creon could have acted otherwise than they did, as the presence and arguments of Ismene and Haemon make dramatically clear, and the viewer, the Greek viewer, could not experience the play as tragic if he entered the amphitheater locked into one role or the other, was not himself pulled one way then the other, and instead took in the play as a cheerleader for one side or the other. Even in the Homeric world, the temptations of Calypso wouldn’t make much sense as temptations, were Hegel’s surface claim correct.

I think that what he means to say is not that individuals function in some completely unreflective way in their roles, but that when the objective deficiencies in the social order do force a crisis-like confrontation with other equally required social functions, reflection and doubt are indeed inspired (cf. Orestes in *The Libation-Bearers*), but they lead nowhere, suggest no resolution, and must merely be *suffered*. This is in effect what Hegel says in his handwritten notes to §147 of *The Philosophy of Right*: the Greeks “were unable to give an *account*,” and so “had no conscience, no conviction,” what they believed was “unmediated by reasons” (VPR, 2:553). (This is still extreme; one of the oddest things about Sophocles’ play is how much of it is sustained and genuine arguing. But it is on a better track.)

⁷ See also §503A of the *Encyclopedia*, and the assertion there that a modern subject ought to find “assent, recognition, or even justification [*Begründung*] in his heart, character (*Gesinnung*), conscience, insight, etc.” (EPG:313).

when Hegel points to the key condition that would enable my identification with my own deeds, my being able to understand them as produced by me, not by the will of another, or as necessitated, he also points to the role of practical reason for the subject. What I need to be able to do in order to acknowledge a deed as my own, to stand behind it, take on the burden of responsibility for it, and so “see myself” in it, is in some way to be able to justify it.⁸ Where Hegel veers off is in his linking being in some social roles to the realization of reason in both the subjective and objective sense noted above.⁹ Whatever else he means by this, he must mean thereby that “having justifiable reasons” is going to look a lot different than we might expect, since it won’t only be a matter of having maxims of a certain form or reflectively deliberated beliefs about the good, an efficient strategic plan, and so forth; and the role of practical and moral reasoning will not be a matter of having applied a methodology, or a test for universalizability. Reasoning and coming to have reasons will, it appears, have a great deal more to do with participation in social practices, and the sorts of reasons relevant to the achievement of genuine freedom, full rational agency, will depend on the character of those practices and institutions.¹⁰

Already we can see the problem. Hegelian practical rationality will not amount to preference maximizing or adopting the moral standpoint of universality, but, as we now might say, proper rule-following where the rules are rules regulating social practices and institutions. It is in this sense that Catholic priests can be said to have reasons to be celibate (in the “because-that-is-what-they-are” sense), and male members of families in

⁸ There is a loose and general sense in which I can be said to have set a goal myself (autonomy of a sort), to have psychologically identified wholeheartedly with the end (authenticity), to have had the means to achieve it (power), to have experienced no human impediments (negative liberty), to have experienced in my striving a development and growth (dynamic self-realization), and to experience the result as a genuine reflection of me and what I intended (self-realization in the sense of self-recognition). Thus one might say that such widely various conceptions of freedom are normatively neutral in way, beyond freedom itself being an abstract ideal. But the point Hegel is making is that it can appear this way because the role of reason (and so the inherent sociality of practical reasoning) has been suppressed in such a summary. Cf. Raymond Geuss’ comments on the limitations of the “see myself in” locution in self-realization theories, in his very helpful discussion Geuss (1995a).

⁹ Another longer topic: answering worries like Isaiah Berlin’s about a great modern “inflation” in the concept of freedom, whereby many other things we want to count as elements of a good life are unjustifiably packed into claims about what it is to be free.

¹⁰ §260 and the Addition state the full claim for both subjective and objective rationality, where “rational” appears to mean that both the principle of the “self-sufficient extreme of particularity” and the “substantial unity” of the ethical whole are both realized and fulfilled and this “in the principle of subjectivity itself” (RP, 407; PR, 282).

certain societies have reasons to seek revenge against insults to honor, and so on. If Hegel's argument is successful, such rule-following considerations can be counted as justifications, and are the paradigmatic case of practical justification. But contrary to other such rule-following accounts, Hegel clearly wants to defend not only claims like:

- (i) "It is in participating in Institution X, in following its rules, that I am being practically rational, or can be said to have justifications for what I do,"

but as we have seen several times he also quite obviously intends to avoid the relativistic implications associated with such a position and also to defend the claim:

- (ii) "*Institution X* is itself rational, has an objectively rational form."

Now we tend intuitively to take that latter claim to mean

- (ii') "It is rational for any individual to opt to participate in and sustain X."

But as we have seen, and as we will explore below, Hegel seems to think that it is only *qua* participant that I can be said to have practical reasons at all and that they can be said to get some sort of grip. He will famously deny that there is any way of settling what a putatively pre-institutional individual would rationally will, or why such a determination could be said to give someone reasons to act or sustain allegiance to an institution. As we have noted, Hegel thinks sociality is prior to individuality in some way, that it is only within and as a result of certain sorts of norm-governed societies that I could become a determinate, deliberating individual at all, with any basis for reflecting on what I ought to do. So (ii') cannot be the right gloss on (ii) and we are left wondering what (ii) could amount to.

II

So this brings us finally to the question at hand, what it means to say that certain modern institutions are rational, and now, especially, what it means to say that they are objectively rational, and if so, what it means to say as well that they are also subjectively rational.¹¹

¹¹ On the centrality for Hegel of the "subjective" side of the "reconciliation" problem, see Hardimon (1994), chapter 4, and Neuhaus (2000), chapters 3 and 7.

I should note at the outset here that there are two obvious ways of reconciling these two elements. As noted, an institution could be said to be objectively rational if it possesses a structure that hypothetically rational individuals would ("subjectively") will, where such wills are considered abstractly only in terms of their responsiveness to norms that bear on all equally. Likewise an objectively rational institution could be said to be subjectively rational as well if all those regulated by the institution believe that the claims for objective rationality are valid, and so make those reasons, whatever they are, their own. If, however, the former cannot be Hegel's position, as I now want to show, then the latter cannot be either, at least not without further ado. If Hegel rejects the position that the social order is rational because it satisfies what rational individuals demand *qua* individuals from a system of coordination and regulation, then we need to know why individuals would find some claim about the inherent or objective rationality of the structure or system of social organization reasons for them to do or forebear from doing anything.

As noted above, it would be natural to think of institutions as rational if they could be shown to be the products of the rational will of individuals, that under some hypothetical pre-institutional and ideal conditions, we can show that it would be rational to found, form, and sustain any such institution. This form of reasoning is most famous in the *exeundum e statu naturae* arguments in the modern contractarian defense of the state. If this could be shown, then it would mean that in obeying the state's laws, I am really only obeying myself. And such a methodological individualism has become a staple of modern discussions about institutions, and can almost be said to define methodology in several social sciences. Since in many such models either the genuine interest or the ideal sum of subjective preference satisfactions of the individual is at stake, it is presumed that such considerations are also in fact quite often the subjective reasons on the basis of which subjects act, and that, under conditions of even minimal enlightenment and non-distortion, such reasons could easily gain an even greater motivating force.

There are several Hegelian criticisms of this model of institutional rationality. First, and most famously, Hegel notes that this way of thinking about the social order instrumentalizes the individual's relation to it and so makes all elements of our allegiance to it conditional and revisable. He is most explicit that this way of thinking is a mistake when he is talking about the state and denying that "membership in the state is an optional [*Belibiges*] matter." He goes on:

But the relationship of the state to the individual is of quite a different kind. Since the state is objective spirit, it is only through being a member of the state

that the individual himself has objectivity, truth and ethical life. Union as such is itself the true content and end, and the destiny [*Bestimmung*] of individuals is to lead a universal life; their further particular satisfaction, activity, and mode of conduct have this substantial and universally valid basis as their point of departure and result. (RP, 399; PR, 276)

Or there are such sweeping claims about the “priority of the social” as the remarks in the Addition to §156:

Thus there are always two possible viewpoints in the ethical realm; either one starts from substantiality, or one proceeds atomistically and moves upward from the basis of individuality. This latter viewpoint excludes spirit [*ist geistlos*], because it leads only to an aggregation [*Zusammensetzung*], whereas spirit is not something individual, but the unity of the individual with the spiritual. (RP, 305; PR, 197)

This way of putting the matter has suggested to some that if Hegel does not believe in the contractarian model, he must believe that there is, perhaps as a thesis in his metaphysics, some sort of non-optional or even non-voluntary relation to the state (as itself the highest expression and totality of the whole social order), and it is that claim that generates the impression that Hegel views the relation of individuals to the state as if organic elements of some organic whole, as if, just as a hand or a lung cannot be what it is outside its place and function in a living body, so individuals, groups, and institutions cannot be what they are outside of or not governed by the state.

But Hegel’s language is much more idiosyncratically his own than any traditional organicist characterization could fully capture. That is, the dependence in question is characterized more in terms of the problem of rationality and freedom, within, as he says, the theory of “objective spirit,” than in the language of natural organic wholes.¹² The claim in Hegel’s language is that because the state is “objective spirit,” the individual has “objectivity, truth, and ethical life” only in the state, and that fulfilling one’s destiny, which is to lead a universal life (to be subject to the claims of reason), requires participation in rational ethical institutions. As we have already seen, the position Hegel is defending is that there must be social bonds already constitutive of such a rational individual’s status *as rational*. This is what Hegel means when he says our destiny is to lead a universal life, to engage in a practice of justification with others that is based on no biased or privileged interest but on reason. Abstracting from

¹² See his polemical remarks about the use of appeals to nature in political philosophy at §539 of the *Encyclopedia* (EPG:333).

this original form of human dependence (abstracting from the originally social character of justification, the dependence of proffered reasons on their acceptance and circulation) would be like the situation described in chapter 6, where individuals, considered as each having one's own subjective or private "*Sache selbst*," could never be said to achieve the status of "true" or objective agents in the first place ("pre-" any bargaining position); the subjective certainty of their self-representation could never be realized objectively.

When the notion of the organic is explicitly introduced into *The Philosophy of Right* at §256, this same unusual emphasis on "thought" and "universality" is emphasized. The state is said to embody both the differentiation manifest in the family and civil society, as well as

the form of universality which is present in education, the form of thought whereby the spirit is objective and actual to itself as an organic totality in laws and institutions; i.e. in its own will as thought. (RP, 398; PR, 274)

Here ("in its own will as thought") Hegel seems to be thinking of another sort of feature of higher-order organic beings, that they have their principle of motion within themselves, are self-moving or in this case self-determining and thereby self-organizing and self-sustaining. The form of self-determination manifest in the state is the principle that guides all else in ethical life; how it represents itself to itself is actual, institutionally actual in the practices, customs or laws or familial and *bürgerlich* life. In this case the self-determining whole is composed of self-determining parts, persons, and the reason everything is pulling together is because everyone has determined to pull together, on the basis of some principle or shared value believed to be universally binding.¹³ As Hegel says at §265A, "It is the self-awareness of individuals which constitutes the actuality of the state" (RP, 412; PR, 287).¹⁴ (More on this in section III below.)

So, considering an individual pre-socially and purely rationally as a standard of judgment about the rationality of any social commitment to others must distort any result since such a putative individual has no "objectivity" or "truth." This is not what, objectively and in truth, *rational* individuals are. To think otherwise, Hegel claims, confuses the logic of justification and the function of civil society with that of the state. (RP, 403–404; PR, 279–280). The state is said to be an end in itself (*Selbstzweck*)

¹³ §264 of *The Philosophy of Right* makes this point explicitly (RP, 411; PR, 287).

¹⁴ See also §270 (RP, 415ff.; PR, 290ff.).

and neither a means for the regulation of the market economy, nor an end for which civil society is a mere means (RP, 399; PR, 275). (So, to be sure, the Kantian notion of organism is important here: an end like this is both “cause and effect” of itself, what these subsidiary functioning parts are for, why they are, as well as the product or result of their functioning. The state cannot be viewed as the product or result of the competitive struggles of civil society, and the organization of civil society must be viewed as “for the sake of the state,” even though no one and no institution in civil society has that end explicitly.)¹⁵ The private relations among civil society members are not being absorbed or denied in favor of the state-organism, but, the claim is, the possibility of such self-interested interactions will have to appeal ultimately to a domain of over-arching law and justification wherein participants count as equal rational agents (even if within the still finite realm of citizenship set by tradition and history (not an *ethnos*)). At a brute minimum this means that all civil society participants must believe, and it must be true that, the state’s laws and requirements are not in the service of any private set of interests, and that they do not represent a mere compromise among competing interests, a resolution always challengeable and revisable, subject to rational defection if the goal is *only* maximizing self-interest.¹⁶ But Hegel also does not mean that the state simply fairly regulates such contestations. It is to the legislative and executive powers that Hegel assigns exclusively the task of discerning, knowing the “universal purpose” at the basis of the state’s authority, and the task of executing, realizing that purpose (RP, 435; PR, 308).

This sort of claim clearly relies on positions Hegel has defended elsewhere, on very ambitious claims about the ontology of individuality, and so his own distinct account of freedom as being-with-self-in-the-other (*bei sich Selbstsein im Anderen*). In social terms in this context, he means to highlight an aspect of freedom, independence, and so individuality, that is not conceived of as some abstract and unreal absence of all dependence, but a kind of dependence by virtue of which genuine or actual independence could be achieved. (His best examples of this

¹⁵ As in Kant, were there only mechanistic forces (by analogy merely a state as conceived by the understanding), the whole could appear as merely the contingent result of such forces, could not, as it must be, be explained as the ground of these various forces, the ground especially of their unity and harmony. See Wolff (2004) on the relation to Kant’s teleological theory.

¹⁶ Again, Hegel is not claiming that there could not be a state that was nothing but a regulation of the system of needs. He wants both to say that this would not be what a true state is (the Notion would not be in agreement with itself) and that the contentions of civil society alone, the situation imagined with no such universal dimension, could not fully be what *it* is, would have to undermine itself.

are friendship and love;¹⁷ the intellectual ancestor is again Rousseau and Rousseau's argument that a "remarkable change in man" is necessary before true citizenship can be possible.)¹⁸ Moreover any organic image for such dependence is only a metaphor, a fact Hegel keeps trying to emphasize by repeating that we are in the domain of objective spirit, considering subjects not as natural entities and wholes not as natural wholes, but as spiritual (*geistig*), the central feature of which, as we have seen many times, is that it is a product of itself. This means that whatever unity or whole results, it must be considered a freely self-organizing whole, where that again must mean "on the basis of reasons accessible to all."

If this traditionally conceived organicism is not the way Hegel wants us to think about the claim for the objective rationality of social institutions, how does he want us to think about it? There are three answers that commentators claim to have found in the text. I will call them the "social conditions view," the "historically rational view," and the "objective structure" view.

III

The intuition behind the first, the social conditions view, is already apparent in the remarks above about the transformative and formative aspects of any social order. If freedom is a great, even absolute and unconditional value, then it is safe to assume that anyone committed to that claim would also have to be committed to a social order that made possible the development of the sorts of persons who could act freely and responsibly, and to an institutional world that allowed and protected a range of possibilities for the exercise of such agency. This is the kind of argument often invoked against strictly rights-based (or negative liberty) versions of liberalism in favor of more welfarist and redistributionist versions. If one ought not to be interfered with in one's pursuit of one's ends, if one's worth as a person depends on being able to set the ends for one's own life, then, presumably, being *able* to set and pursue ends is a good thing, and anyone who believed that but was unconcerned that, by happenstance of birth, some had the means,

¹⁷ See §7Z of *The Philosophy of Right* (RP, 57; PR, 42), and Axel Honneth's gloss in Honneth (2000), p. 26, and cf. the *Phenomenology's* famous claim about *Geist* as an "I that is a we and a we that is an I." See Pinkard (1994) for the best account of the importance of the notion of "sociality" in Hegel's overall project, and in the *Phenomenology*.

¹⁸ Rousseau, *Social Contract*, I.7, in Rousseau (1997).

educated sense of possibilities, and stable character to do so and others did not, could rightfully be accused of inconsistency. As Neuhouser points out, this strain in Hegel could be called a Rousseauist strain because it seems informed by the same strand in Rousseau that looks for ways in which laws informed by the general will could establish the new social conditions of genuine independence and so blunt the effects of the deep dependencies unavoidable in modern society.¹⁹ (And we obviously cannot view any such conditions of freedom as the result of the choices of the actual wills of citizens, who might, after all, because of their corrupt circumstances, have no interest in such a free life. We need to posit their “real” or genuine wills (the general will) and even entertain the famous possibility that they might need to be “forced to be free.”)

There is certainly evidence that Hegel was quite concerned with this formative function of the social order, and there are passages that one might interpret in this “social conditions” way. (“The will in its truth is such that what it wills, i.e. its content, is identical with the will itself, so that freedom is willed by freedom” (RP, 74; PR, 53); and the entirety of §27 also insists that the free will is the will “which wills the free will” (RP, 79; PR, 57). This might be taken to be a claim that any putatively free will must will the conditions of its own freedom.)²⁰ Hegel is well known for saying that it is the purpose of modern families to produce individuals capable of leaving the family and starting their own, and for insisting that the market economy itself could be seen as educative, as teaching its participants something about the relation between their particular ends and the common good. For example, he claims that without being taught “honor in one’s estate” (*Standesehre*), commercial life and competition would quickly degenerate into mere “luxury and extravagance with the commercial and professional classes” (RP, 395; PR, 271). Indeed, Hegel claims that the problem here too is the problem of recognition. If someone does not identify with the honor of his estate or corporation (with some significant structure of meaning larger than himself), he will seek such recognition merely in the “external manifestations of success” and these will prove “unlimited,” and we are to infer, unsatisfying as well as unworthy.²¹

¹⁹ Neuhouser (2000). See his formulation on p. 147 for a clear summation of the “social conditions” position.

²⁰ See the remark at §148, Addition, on what is “made necessary by the idea of freedom” (RP, 297; PR, 192).

²¹ Cf. Wolff’s interesting discussion at Wolff (2004), pp. 295–6. Hegel does not here directly address the question of exactly why such a consumerist paradise would be objectionable. His position is clearer in the 1819–20 lectures, where he claims that “a human being fails to achieve his destiny [*Bestimmung*] if he is only a father, only a member of civil society, etc” (VPR, 2:127–128). But to

Another way to put the same point would be to note that, in social terms, Hegel is claiming that participation in a certain form of social life is transformative as well as instrumentally useful, and so that there is too great a contrast between what an individual becomes by such participation, and what he would have been without it, for the pre-institution individual to serve as a standard.²² Such social institutions are also originally *formative* of individual identities, and so would be conditions for the possible development even of rational egoists and of rational egoist culture, conditions for the formation of character that cannot be viewed exclusively as the product, even ideally, *of* such individuals, lest we leave unexplained the complex conditions under which individuals would have, or even would be able to have, such priorities.

Moreover, the institutions necessary to protect, foster and guarantee individual egoism or conscience-following characters cannot themselves be sustained effectively without relations of trust and solidarity that cannot be supported on considerations of individualist interest or individual conscience.²³ If rational calculators view themselves as able to trust others only to the extent that is strategically prudent (that the costs of detected mistrust are too high, that others will cooperate to the extent that their own interests are served, but only to that extent), then it seems reasonable to predict that we will all be much worse off. The transaction costs of such unavoidable paranoia and unavoidable mistrust would be quite high. Hegel of course does not himself think that relations of trust and solidarity or love are rational only instrumentally. The point is just that the egoist position is self-undermining on its own terms.

Given these claims about the educative, formative functions of the family and civil society, it is fair to say that Hegel certainly does think of the priority of ethical life as a matter of establishing the conditions without which the individual could not become an agent with any sort of ethical or rational competence. Moreover, given this priority claim, the

understand that claim we need to understand that Hegel is not relying on a philosophical anthropology or natural teleology. The claim is supposed to be that such practices require a collective self-legislative capacity (are only intelligible normatively in terms of such a capacity) which cannot be realized in such institutions and requires participation in the state.

²² Rousseau, *Social Contract*, I.8, in Rousseau (1997). One could always try to argue that pre-social rational individuals could then take this fact of unavoidable social dependence into account in any "contract," but since no one can know *ex ante* the character or extent of that dependence, that seems an empty concession.

²³ Cf. Hollis (1998), especially chapter Two, "The Perils of Prudence." At §515 of the *Encyclopedia* Hegel calls trust "true ethical mindedness" [*die wahrhafte, sittliche Gesinnung*] (EPG:319). See also §268 of *The Philosophy of Right* on the relation between trust and "educated insight" [*gebildete Einsicht*] (RP, 413; PR, 288).

case for the objective rationality of any such institution could not be made on the basis of the actual or presumed willing participation of the (as yet unsocialized) subjects.

But there are two problems with concluding that this way of looking at things exhausts what Hegel means by objective rationality. The fact that Hegel thinks (as he obviously does) that the organization of the modern family, civil society, and the state do have this educative, freedom-enabling function does not necessarily mean that he views them as objectively rational for that reason alone. It is still the case that such an argument on its own would relegate the institutions to means of a kind, for the sake of an individual exercise of agency; necessary means for enabling individuals to be able to exercise their arbitrary or personal freedom, their moral agency, and perhaps their social agency (participating in social institutions in the right way, with the right subjective attitude and expectation).²⁴ But in that case, the claim would be (as it is in Rousseau) that the institutions are indirectly subjectively rational, could be justified to a rational agent as essential to his agency, were he sufficiently freed from the distorting effect of dependency. Passages like the one quoted above seem to have in mind an independent case for the rational character of this substantiality.

Second, it is highly unlikely that one could deduce *a priori* just what social conditions are required for the achievement of the actual empirical capacities and competencies necessary to function as a fully rational, end-setting subject of one's own life. In the strictest sense, in Kant's view, for example, there are no such conditions because there are no empirical requirements for the exercise of moral agency. Others might argue for quite minimal conditions (freedom from violence, security in property) and leave it at that. Others might go much farther based on empirical, psychological claims about human development. I want to examine one such attempt below. In general, though, it is likely that whatever is settled on as the empirical conditions of freedom will, as in many other cases considered, reflect a socially shared view of moral competencies already actual in a community at a time. In that case, these pre-conditions could not be viewed as independent justifications for some social order if they already embody and reflect that order.

The more ambitious attempt to extend this social conditions argument that I want to consider is Axel Honneth's, in his attempt at what he calls a "reactualization" of Hegel's *The Philosophy of Right*. Honneth agrees with Hegel that "the ideas of 'abstract right' and 'morality' are each insufficient

²⁴ This is Neuhausser's term.

descriptions of the condition of individual freedom in modernity,”²⁵ and he describes the state we are in as a result of this insufficiency a kind of “suffering from indeterminacy.” Modern agents can be said to be by and large committed to the right, truly authoritative modern norm, freedom, and so an equal entitlement to a free life, but suffer from the indeterminacy that the mere notion of freedom leaves us with. (As the twentieth century has made clear, libertarian, welfarist, socialist, and totalitarian projects all claim a commitment to the supreme principle of actual freedom.) Honneth invokes Hegel as having shown by far the most important condition for actual freedom: another’s freedom, and therewith necessarily the objective social conditions wherein subjects could properly experience another’s freedom as condition of their own, and so act as such social agents, and as subjectively rational. Whereas Kant and Fichte understood the sphere of right as external relations among atomistic subjects, with the key issue the legitimacy of coercion, and with restrictions on freedom understood as merely necessary in order to guarantee freedom for all, “under the same concept Hegel understands all the social pre-conditions that can be shown to be necessary for the realization of the free will of each citizen.”²⁶ These social pre-conditions are then glossed as the “communicative relations” Hegel presents as elements of *Sittlichkeit*.

But Honneth realizes that this form of argument amounts to an extension of the modern notion of natural right since it involves a justified claim to entitlement to the conditions of free individuality. (This is just part of what it means to say that someone committed to the entitlement to a free life must be committed to its “social conditions.”)²⁷ But he also realizes that the justifiability (the rational legitimacy) of *Sittlichkeit* cannot be understood as a matter of the extension of the legal rights of individuals so as to cover these conditions, as in a right to the conditions for the realization of freedom. A social world conceived of as individuals laying claim on each other for the guaranteed protection of the existence of certain communicative practices or forms of social life does not make sense as a matter of entitlement claims. It would instead count just as much as a mark of the corruption and distortion of modern ethical life if individuals subjectively claimed such a life as an individual right as if familial life were experienced as the realm of right and contract. This would be especially true if one were to claim, as Honneth does in his important book *The Struggle for Recognition*, that recognitive relations of love, respect, and esteem are required for the proper self-formation of

²⁵ Honneth (2000), p. 20. ²⁶ Honneth (2000), pp. 28–9. ²⁷ Honneth (2000), p. 29.

modern, competent agents, and that misrecognition in any of these domains counts as a social harm, an injustice.

As we have already seen Hegel assert, this also gets the cart before the horse. He has argued, and Honneth presumably agrees, that one cannot understand the authority of rights claims themselves as a result of some deductive, purely rational thought experiment, dependent only on the concept of individual freedom. That was why Hegel had insisted that “right” and “morality” cannot exist independently or for themselves; such claims can only become practical reasons for individuals within and as a result of a certain form of social life. A common ethical life cannot be understood as the object of a rights or general entitlement claim if that life amounts to a necessary pre-condition of the determinate meaning and binding force of such a rights claim. (The somewhat paradoxical situation here is captured by a nice image used by Martin Hollis: how could Eve have possibly known whether it was right or wrong to eat of the fruit of the tree of the knowledge of good and evil, before she did?)²⁸

Moreover, claims of entitlement are, if legitimate, enforceable; one may call on the state’s monopoly on coercion and violence to enforce them and obviously coerced recognition is not recognition any more than coerced love is love. If there is to be a case for the objective rationality of institutional forms that do establish and maintain successful forms of recognition, it will have to be made without sole reliance on the claim that such forms are necessary conditions for the formation of individual moral agency.

It does not, I think, help much to argue, as Honneth does, that these “social forms of existence” can themselves be said to have rights, as in “have a right to a legitimate place in the institutional order of modern societies.”²⁹ Such forms are not and cannot be the realization of rights claims in any sense (they are the condition for the actuality of such claims). The notion of right, no matter the bearer, is tied necessarily to the capacity to place others under an obligation, and if such social forms are said to have a right to existence, then by parity of reasoning we will have to ask again, under what social pre-pre-conditions could such claim to entitlement have binding, actual force? The very arguments that led us to the issue of pre-conditions for rights claims will arise again if we consider those pre-conditions as matters of right.³⁰ (Under what social conditions would

²⁸ Hollis (1998), p. 11. Or, as Hollis also puts it, there is no point at which Eve could have said, “Adam, let’s invent language.”

²⁹ Honneth (2000), p. 30.

³⁰ I had the same sort of problem with Honneth’s earlier, equally interesting and valuable “neo-Hegelian” book, his *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (Honneth

recognitive relations like these come to be experienced as necessary conditions of the realization of freedom, and so forth?)

IV

What Hegel means by objective rationality, then, cannot be interpreted as claims for a kind of indirect subjective rationality, as if rationality amounts to “what rational choosers would will,” or “what comprise the necessary objective conditions for the actualization of individual agency.” Hegel seems to have a more robust sense of genuinely objective rationality in mind.

The notion that an object, even an artificial object, could itself be said to be rational is initially obscure. There is a somewhat figurative sense in which institutional objects can be said to “act rationally.” We can note what the police have reason to do, given that they are the police; what the army or supreme court have reason to do, etc. And this sense gets us closer to Hegel, because what we mean is a kind of ellipsis – that this is what they must do in order really to be the police. The police, considered as an object, are rational to the extent that they fulfill the role of the police, are the police, and not a private army used for the benefit of a tyrant, for example.

In a somewhat more formal sense, one can also say that an institution is irrational if its rules are inconsistent. One could say that the institution of “realtor” in the US is irrational because a realtor acting for a client, supposedly to get the best price, also has a powerful interest in getting the quickest sale for himself, and in that situation there is no way (except by chance) to be a “good realtor.”

But these are both too formal to get at Hegel’s stronger claims. There are also things it is rational or irrational for the Mafia to do under such assumptions, given that it is the Mafia, and there are ways the Mafia code could be said to be irrational. But the Mafia itself is not at all rational (it is not rational that there be the Mafia). Hegel’s account seems much

1996). There the “moral grammar of social conflicts” was analyzed by appeal to the importance of esteem or recognition as a social good, and so disrespect as a social harm. The same questions arise. What *sort* of a good is the esteem or solidarity without which full individual subjectivity itself is impossible? Can it be legally or in some other way demanded when it is absent (like a right)? How? If not demanded, what sort of redress is appropriate? If the broadest form of social esteem depends on some form of common values, why should we believe that developed, ever-more secular modern cultures can provide any such successful common goals?

more ambitiously tied to a theory of reality – in the case in question, social reality – having a certain structure and also to a theory of degrees of reality. This way of speaking would hold that the feudal social order was not yet “what a real social order” is, and so was objectively only partly rational, and that a modern *Sittlichkeit* and state, as described in Hegel’s *The Philosophy of Right*, is what such an ethical and social order truly is. That is, its structure reflects the full realization of the object’s potential, where the object itself is a rationally required component of the objective human world, required for that world to be truly a human one.

In keeping with what appears to be this ontological approach (and a so-called ontological theory of truth) Hegel’s phrase is that a philosophical approach deals not with the contingent origins and history of the state but with what he calls the concept of the state as thought [*mit dem gedachten Begriffe*] (RP, 400; PR, 276). As we have seen, an assessment of its concept is in Hegel’s treatment an assessment of its normative status—that is, its claim to the rationality of its conceptual determinations, defined in this paragraph as:

Considered in the abstract, rationality consists in general in the unity and interpenetration of universality and individuality . . . the unity of objective freedom (i.e. of the universal substantial will) and subjective freedom (as the freedom of individual knowledge and of the will in its pursuit of particular ends). (RP, 399; PR, 276)

This looks like the introduction of a kind of blueprint model for the claim to objective rationality, on the assumption that the underlying structure of reality is, ultimately, reason. Any fully actualized being reflects the proper, fully developed logical relation between the universal aspects of the object and its particularity, a mediated relation in true individuality. This also marks out truly self-sufficient and self-determinate beings. The domain of spirit (rather than the only imperfectly realized and so not fully real domain of nature) and the productions of spirit (including politics, art, religion, and philosophy) can be understood along some sort of continuum of the actualized on the model of this blueprint, and at the higher end. Spiritual beings can finally be said to determine their own being rather than inherit it or have it determined in external relations with others (as in the domain of nature). The state has a kind of pride of place in this account:

The essence of the state is the in and for itself universal [*das an und für sich Allgemeine*], the rational [*das Vernünftige*] in the will, but as self-knowing and

self-validating [*bestätigend*] basic [*schlechthin*] subjectivity, and – as an actuality – one individual. (EPG, 330)³¹

But the language of claims like the above returns us to issues we have seen arise again and again in this study and not to any blueprint theory, as if what makes the state objectively rational is simply the fact that in its internal organization it mirrors what Hegel's logic tells us is the structure of the real. It is extremely important that the state be an in and "for itself" universal. Were it merely in itself the logical blueprint theory might be appropriate, but what Hegel is signaling is how the claim to universality is sustained, explicitly by the subjects who subscribe to it, and this can only be by rational self-legislation.³² Its universal authority is "self-known" and even more revealingly "*self-confirmed*" or "*self-validated*." This is simply Hegel's way of saying that the structural organization of the state is the form appropriate to self-legislating, rational finite beings. It is the realization of their will, when the will is understood properly (as a "self-relation in relation to an other," the norms for which must be autonomous).

Thus in §144 of *The Philosophy of Right*, when discussing the "objective sphere of ethics," the substantial good of the state, he launches into his self-legislation language again, writing that this good "is made concrete by subjectivity, as infinite form." The ethical has a "fixed content" but it is "laws and institutions which have being in and for themselves." The "for themselves" again signals the basis of the claim to rationality on the explicit embodiment of rational self-legislation, as when Hegel says at §147 that "the subject bears spiritual witness to them [i.e. the state's laws] as to its own essence, in which it has its self-awareness [*Selbstgefühl*]" (RP, 295; PR, 191). We already know that for a spiritual being its essence is to be a "product of itself."

Ethical institutions which base their claim to authority on a claim about being legislated to by the nature of man, the will of God, or the accidents of history are thus not objectively rational. But Hegel's remarks are about the true form of normative authority, as self-legislated, and do not simply add another candidate to this list and accept it, as if *legislated to* by the logical structure of the real. His point is just the opposite; that, if one likes, the "logic" of all other models of the source of such normative authority are incomplete and ultimately flawed. This is even true of those

³¹ The Wallace translation of this passage (PM, 264) is a disaster, and I have ignored it. At the end of the passage Hegel may be referring either to his theory that states are essentially finite individuals (no cosmopolitan order is possible) or to his theory of the constitutional monarch.

³² See Hegel's explanation of this difference at §270 (RP, 415ff; PR, 290ff).

who take as their starting point the finite human will and see the state as its true realization. Since the will is being considered in such cases as finite in a one-sided way, the state ends up looking like a means, as optional, an instrument, and the difference between the realization of the finite will (the satisfaction of needs) and the infinitely self-determining will constitutes the difference between civil society and the state, and will explain what goes wrong when the state is confused with the regulation of civil society. Hegel's *Encyclopedia* account of spirit as a product of itself, his account of that self-producing as self-legislative, his claim that any putative self-relation in such an account must be also at the same time an other-relation, and his demonstration that that presumes a mutuality of recognition that must be achieved if freedom is to be achieved, all must be kept in mind in order to understand what he means by the objective rationality of the social order and the state as consisting in a "self-knowing and self-validating subjectivity."

Now it is a long way from here to a demonstration that such a requirement can be shown to lead to the tri-partite structure of *Sittlichkeit* and to Hegel's theory of finite regimes occasionally, unavoidably, at war, headed by *t*-crossing and *i*-dotting constitutional monarchs. Moreover, Hegel is not always consistent about the implications of the "self-knowing and self-validating" state. In §298 he denies, wrongly in my view, that the legislative power should be regarded as not only part of the constitution's structure but its *source* (RP, 465; PR, 336). He limits it to the expression of whatever slowly (and imperceptibly) changing collective will is embodied in the state's laws and does not grant it direct control over amending the constitution. And occasionally, as when discussing the monarchy and succession, he appeals to nature in a way that, given his comments about nature throughout his career, is bewildering.³³ And this is not even yet to begin to address the role of such an account in Hegel's theory of historical rationality (the claim that when the state's form is *not* "actually" objectively rational in the sense just discussed, we can show how that unrealized potential helps explain the dissolution of the authority of only partially rational regimes.)

³³ Cf. §280 and §281 (RP, 449–454; PR, 321–325). There is a good discussion of this in Wolff (2004), especially with respect to the (accurate) criticisms of Hegel by Marx on this score (pp. 309–12). Another peculiarity is brought out well by Foster's study (Foster 1935). The legislative branch does not, Foster claims, really embody what we regard as political will. Rather than decide and determine in the conventional, voluntarist sense, it expresses and confirms what has already "been resolved" in the common political consensus that the legislature "represents." But this is a feature of Hegel's strong anti-voluntarism that we have seen throughout and is not surprising in this political context.

I want here only to claim that this is the general nature of Hegel's claim for the objective rationality of the social order – that that order embodies a claim to normative authority in a way consistent with the only possible origin of such authority, free, rationally self-determining agents in unavoidable recognitive relations with each other – and that the terms of that project adequately reflect what has become the basic contention in modern politics: whether or not the struggle for mutual recognition is ever more than the play of power, or whether it can be said to reflect the sort of substantive, structural rationality claimed by Hegel. (Even given such limitations it is already possible to see that this substantive or objective rationality, while not formal, is, one might say, somewhat “light” in content. This is ironic, considering Hegel's reputation for state worship, but given the way legislative will is understood (as expressive and cognitive), given the strict distinction between civil society and the state and so the non-regulative character of the state's function, and given Hegel's sharp criticisms of nationalist conceptions of the state, one might conclude that there is very little for the state actually *to do*, and so very little it actually asks of citizens.)³⁴

v

This brings us back to the question of what, given this sort of claim for objective rationality, in what the subjective rationality of the social order could consist. What, according to Hegel, makes a practical justification of an institution adequate *to* the subjects involved, especially adequate in the sense that we have been investigating: appeal to such a consideration makes it possible to stand behind and claim a deed as one's own? The emphasis we have seen on the priority of ethical life claim already also suggests something quite important for the subjective side. Being moved by such a consideration of the institution, practically accepting it as a constraint, is not to be understood as something one elects to do at some moment in time, as if one pauses and engages in moral reasoning that has such a constraint as a deductive outcome. Being a property owner, there are claims I am allowed to make on other property owners, a justification that circulates and functions, can be accepted or rejected or modified, according to the rules of the property owning institution; being a parent, there are claims on and demands

³⁴ Apart from the most famous and problematic of the state's functions – declaring war.

from children and other parents, and so forth. The consideration is not properly understood as a belief held by, or ideal believed in by, a subject, some propositional object of an attitude. The point one needs to understand to get Hegel right is that this participation in a practice, offering, accepting and rejecting institutional reasons, is all that Hegel counts as having the sorts of reasons that allow the action to be counted as free, genuinely mine.

We can see this more clearly by noting what Hegel thinks happens subjectively when those objective conditions are not fully actual. Of course, the claim to justifiability alone establishes a “no special weight” or bias constraint, but the realization of such a commitment can be quite various, depending on these objective conditions, and can even result for the subjects, as they understand things, in opposing realizations. When Antigone and Creon in Hegel’s famous treatment of Sophocles’ play, are struggling about what it means to attempt to bury Polyneices’ body, whether it is an unavoidable act of familial duty, or a treasonous betrayal of the *polis*, they are arguing in effect about who will set or determine socially the meaning of the deed, and the objective religious and political concepts available to them at the time make a resolution of such claims impossible, and so, subjectively, allow each party an objective claim to rectitude, make to each the appearance of the opposite claim wholly outside what can be justified. And this failure of such objective conditions begins to reveal what would be subjectively successful in the appeal to reasons. For what Hegel suggests about the kind of social development that would ameliorate this situation is first of all that it is a social development that would do so, not the discovery by an individual of some truth-maker in the world, or better access to such a truth-maker, or some greater subjective clarity. And this suggests a distinctly unusual story about adequate practical reasons, experienced as adequate by a subject.

That is, first of all, the lesson to take from these results so far is that practical rationality, the exercise of which constitutes freedom and establishes the condition under which I can experience my deeds as truly my own, is always institution-bound, that no one can be said to have any sort of effective, practical reason to do anything if conceived just as a purely rational self-determining agent. That is, one can conceive of the rationality of social institutions to mean that in some way I have reasons to participate, say, for the realization of nature, or because they provide the conditions for agency, or one could mean that it is only by participating in such institutions that I can be said to have practical reasons at

all. I am arguing that the latter is Hegel's position.³⁵ This means that to think of oneself as radically disengaged from the content of my life is in fact to reflect another sort of engagement somewhere else. This is true, according to Hegel, even of universal moral obligations to all persons, since he understands morality itself as a specific historical institution, and, as with so much, understands its normative authority developmentally, not deductively, and as delimited by the whole institutional context of which it is a part. Said another way, according to Hegel there is no place to stand, putatively outside such institutions, from which one could be said to have a reason to sign up, any more than one can be said to have a reason to move a knight or a pawn unless one is playing chess.³⁶ The obvious retort here – that it must be possible to discuss whether one has reasons to play chess in the first place – is one that Hegel's account accepts, but he does not treat it as introducing any *pre*-institutional perspective. In effect, the way the whole of *The Philosophy of Right* works is for Hegel to show how anyone playing one sort of institutional game (or offering, accepting, rejecting, or modifying proposed justifications) also has good reasons (reasons derived wholly from his trying to play *that* game) to play another. We can thus distinguish kinds of reasons relevant to claims of abstract right (like “that is my property, therefore you may not take it” or “I did not stipulate that in the contract, so you may now not demand it”), from reasons relevant to moral judgments (“No; because it violates my

³⁵ I take myself here to be disagreeing with the main thrust of Neuhouser's (2000) interpretation (cf. p. 115, and chapter 7). When he says that Hegel's point is “that individuals realize themselves as moral subjects only when they find the source of moral authority within themselves rather than in something merely external” (p. 225), I think he is importing an inner–outer dualism that Hegel is out to undermine, such that both the “merely” inner and the “merely” external end up looking quite different than in ordinary understanding. Neuhouser's account puts the ethical order in the service of what he calls “moral subjectivity” without (for the most part) taking into account Hegel's reworking of the status of moral subjectivity and his fundamental objections to the very notion of a privileged inner life. When Hegel says, as at §503R of the *Encyclopedia*, that “ethical and religious determinations” ought not to be experienced as external to an individual's “heart, mindedness [*Gesinnung*], conscience” (EPG:312–313), he is clearly not making the individual conscience the judge of the acceptability of such determinations but insisting that in a rational order the content of the individual's conscience will, in objectively rational institutions, turn out to accord with what these determinations require. There is no reason to believe that the mere “transparency” (p. 229) of the social order to individuals will accomplish this, given how much of the common “logic” of “inner and outer” is re-thought in Hegel's account. But see p. 250 for fuller statements by Neuhouser, which emphasize that “access to true ethical standards depends on standing in the right (institutionally mediated) relation to other moral individuals.” If this is true, though, given that these relations go much deeper than being deliberative interlocutors, the whole question of the nature of moral subjectivity must be re-thought.

³⁶ Cf. Hollis (1998), p. 115: “I, as an individual cannot mean anything by my action unless there is something which my action means and other people to recognize that this is what it does mean.”

conscience”), from reasons relevant to ethical life (“because I am a father,” “because a good business man must be trustworthy,” “because my country is in danger”).³⁷ What can look like a purely rational reflection on the limitations of some normative institution is in reality the pull of another unavoidable, already-in-place institutional commitment.³⁸ (Historically, for example, the most important such differentiation in Hegel’s account is between: “because he is a citizen,” “because that is what a citizen does,” and “because this is a common means for us to improve productivity,” or “because we discover we have a common good in the pursuit of our individual goods.”)³⁹ In fact, even though the structure of ethical life is overall coherent, these tensions, pulls, and counter-pulls in Hegel’s account are essential to the continuing need for reflective subjectivity in one’s engagements. The departure of children from the family, the limits on the pursuit of private ends established by civil society and even more so by the state, the claims by the state for the young for its wars, and so forth, are not treated by Hegel as seamless moments in an over-arching whole. A good deal of reflection will be needed to understand just what one’s role calls for and what it does not, reflection about what one has reason to do or not, even when this does not occur simply “*qua* rational agent.”

In Hegel’s view, then, human subjects are, and are wholly and essentially, always already under way historically and socially, and even in their attempts to reason about what anyone, any time ought to do, they do so from an institutional position. (Antigone and Creon do not rely on personal sentiment or oracles to determine what to do, even if each might believe they do. Each is trying to argue for what, respectively, *any* sister or *any* ruler must do, even though they make no appeal to or deduction from “what anyone at all must do.”) If we abstract from that position in

³⁷ Hegel thus continued to develop a version of “critical theory” pioneered by Kant, and developed in Habermas and Honneth, where reflection could establish certain “boundary conditions” in attempts to render intelligible or justify deeds, and then could explain what is going wrong when these conditions, or sorts of reasons, are not observed or are confused. Kant started this particular ball rolling with his *Verstand–Vernunft* distinction, and while Hegel did not accept Kant’s terms, his own philosophy is likewise committed to distinguishing “the philosophy of the understanding” from “speculation,” or finite reflection from absolute reflection, and so forth. Claims of abstract right are thus valid, but not in an unlimited sense, or not without being limited *by* moral claims of persons to consideration as responsible subjects and ends in themselves, etc.

³⁸ Honneth (2000), shows very well what Hegel understands to be going wrong when subjects act on a valid but limited conception of freedom and ignore such limits, or how various social “pathologies,” like loneliness, emptiness, alienation, and so forth develop (cf. p. 36); and see also §136, §141, and §149 of *The Philosophy of Right* (RP, 254, 286, 297; PR, 163, 185, 192).

³⁹ On the great importance of differentiated normative spheres in Hegel’s political philosophy, see Siep’s discussion in Halbig, Quante, and Siep (2004).

an attempt at an idealization, we abstract from the conditions of the possibility of practical rationality. The conventions of ethical life governing what sorts of reasons can be offered, in what context, and how much else one is committed to by offering them, are not, in other words, rules that one might invoke and challenge all at once; they are also criterial for what will count as raising and challenging any claim.⁴⁰

It is important to note that this is not a prelude to a claim for a smug cultural positivism, as if we count as justifiable only what functions as a justification in our game, and this because that is just the way we do things. As we shall see below, this too is far too reflective and abstract a position for *it* to count as a practical reason. (It is never a good reason simply to say, "This is how we do things.") But the position does mean that in cases where we are confronted by a justification we do not accept, say one which justifies treating wives and children as a husband's property, we have no practical choice but to react to the claim as a move in their space of reasons, an attempt at justification, and then to trot out, to offer, and then to try to convince them of, the extended understanding of personhood and natural right and so forth that function in our claim that this is unjust. (Otherwise, we would not be treating such other subjects as subjects.) There is also no possibility for us to count "respect for cultural differences" in this case as a norm for action (or inaction) unless that too can be understood as justifiable, and this in a way that may very well require action when we interact with cultures that do not value such tolerance.⁴¹

None of this relativization of practical reasons to institutional presuppositions should be taken to mean that Hegel's own reflections, in the *Phenomenology*, the *Encyclopedia*, and his lecture courses about the inherent or objective "logical" rationality of modern institutions, are somehow in tension with this restriction. We are so accustomed to think of this issue "Platonically" that we expect there to be this tension. That is, we think that

⁴⁰ This raises the question of whether Hegel allows "enough" room for criticism of the whole institutional structure of a society, what Neuhauser calls "radical" social criticism (Neuhauser 2000, pp. 225ff.). This is a difficult question to answer because Hegel is certainly in favor of radical criticism when, objectively, a social form of life is breaking down under the press of the incompatible commitments it requires (e.g. the case of Socrates). In other cases (as in his famous discussion of religious dissent at §270R (RP, 415ff.; PR, 291ff.) he appears willing to tolerate such criticism but only because in *that* case he is assuming that such criticism poses no real threat to a modern social order. If the question is – in cases when the social order is rational and vigorous criticism would undermine it, would Hegel be in favor of allowing such criticism completely unfettered? The answer would have to be "No." Neuhauser's discussion of what this means and whether it should count as a criticism of Hegel is valuable.

⁴¹ This touches on quite a complicated topic: the political status of religion in Hegel's account. See his very long Remark and the Addition to §270 of *The Philosophy of Right* (RP, 415ff.; PR, 291ff.).

everyday life depends on “presuppositions,” the justification for which “runs out” at some point in everyday life, that this represents a justificatory failure, and that only philosophy can complete what we incompletely do in our ordinary practices. This way leads both to philosopher kings and intellectual vanguards. We also tend to think that such justificatory practices cannot just constitute practical rationality because they can break down, participants can experience their real, determinate insufficiency, and there can be a kind of learning process or genuine moral improvement, and all of that must mean that we are after, and might be getting closer to, some state of perfect practical rationality, completely adequate exchange of impartial justifications. And if that is so, it must be in principle possible simply to lay out those conditions and not worry that, imperfect creatures that we are, we cannot find much exemplification of such a state in the real world.

These are apposite, important considerations, but from Hegel’s point of view we must be careful how we state the issues. We must especially attend to the difference between the kinds of breakdowns, *aporiai*, and irresolvable tensions that occur in a community’s linguistic and justificatory practices, and, thereafter, the experience of partial resolutions, *Aufhebungen*, etc. This phenomenon is real but would only be the local context where, once practical rationality is defined in this way (as appropriate rule-following), participants could be understood as negotiating with others at a time better candidates for such rules, for normative status; that is, better motivating practical reasons for the participants, given what had broken down. There is no particular reason to think that such participants must understand themselves as “getting closer to absolute truth or absolute acceptability” in order to do *that*. (What Orestes and Clytemnestra, eventually the Eumenides, need is the Homicide Court, not the Kingdom of God on Earth.) And, on the other hand, much more reflectively, and at a level that is irrelevant to motivating practical reason, there could be an attempt to situate these sorts of normative permissions and constraints within some ever-clearer self-understanding with regard to normativity and justification in general (a “Science of Logic,” say).

For Hegel, in other words, philosophy does not do better what persons at the level of objective spirit do poorly; it does something else. It may count in Hegel as a “higher” and “freer” activity, but it is not relevant to objective spirit, and actual moral competence is not a dim, confused grasp of principles or theory. It is not an inferior version of philosophy, but simply a version, perhaps a good and getting-better version, of such ethical competence. Indeed in some matters (like a civil religion) such a theory would distort ethical life if imported as what Hegel calls an

“ethical power.” In fact, in Hegel’s most radical claim of all, the content of such philosophical activity is nothing but an explicit re-enactment of the development of the intersubjective logic of breakdown and recovery, a comprehensive logic of such explanation and justification that itself plays no role for such subjects.

The original critic of Plato on this “continuity” point was of course Aristotle, and it is interesting that the importance of this differentiation is often neglected in accounts of both Hegel and Aristotle. Aristotle’s claim is also that he is in effect not providing in his ethical writings any reasons for anybody to do anything, that the ethical world is all right by itself, and requires no instruction or philosophical justification. But commentators sometimes assume that the *phronimos* (the practically wise man) must know something about nature and human realization which forms “the basis” of his practices. And all that is certainly not the case, even though there is, according to Aristotle, something to say about the basis in nature for an ideal human being and *polis*.⁴² And Hegel is also clear enough, in his own way, that the considerations adduced in a philosophy of objective spirit that show modern institutions to satisfy the conditions of right are not and could not be practical reasons. When he claimed in §145, quoted earlier, that “[t]he fact that the ethical sphere is the system of these determinations of the Idea constitutes its rationality” (RP, 294; PR, 190), he was not offering the sort of account that might be practically relevant in generating allegiance and forestalling defections, in the way that a contractarian or even a Kantian might assume practical relevance for a mediated version of their accounts. The same could be said for Hegel’s appeals to his historicized rather than systematic account of rationality, of the sort we get in the *Phenomenology* and history lectures. He is not summarizing in some sort of longhand what emerges as shorthand in the practical experience of modern individuals.

And this differentiation in tasks between the limited role of reason as practical in objective spirit, and the “freest” realization of reason in absolute spirit, is the basis for the most well known and most misunderstood claim of *The Philosophy of Right*. In the Preface, Hegel claims that even though he is attempting “to comprehend and portray the state as an inherently rational entity,” it is also the case that his philosophy “must distance itself as far as possible from the obligation to construct a state as it ought to be” (RP, 26; PR, 21). Since he also goes on to stress

⁴² Of great value on these themes in Aristotle is McDowell (1998b). See especially the remark about “vertigo” on p. 63.

both that philosophy can discover “the rose in the cross of the present,” thereby “delighting in the present” and providing through this “rational insight” a reconciliation with actuality, *and* that philosophy absolutely cannot offer any instructions about how the world ought to be, that it always comes on the scene too late for that, like the owl of Minerva that takes flight only at dusk, etc., and since these two claims are in considerable tension (why wouldn’t one way of instructing the world about “how it ought to be” *be* to claim that *is* as it ought to be? Why do things look like a dancing rose in the cross of the present, *and* a grey landscape at dusk?), commentators have often solved the problem by simply discounting Hegel’s “no instruction,” no “ought to be” qualifications and assume he did mean to say that the contemporary state, and even the contemporary Prussian state, was just as it ought to be.⁴³

But his procedure throughout is to differentiate these two considerations. He does so quite explicitly in his 1818–19 *Rechtsphilosophie* lectures when he differentiates practical reasons based on knowledge of the law; a further kind of knowledge “based on reasons,” and “philosophical understanding . . . based on the Concept” (VPR, 2:106). When he had claimed in the Preface that his account might allow a “reconciliation” with modern actuality, he noted immediately a very specific accusative:

to those who have received the inner call to comprehend, to preserve their subjective freedom in the realm of the substantial, and at the same time to stand with their subjective freedom not in a particular and contingent situation, but what has being in and for itself. (RP, 27; PR, 22)

This sort of comprehensive perspective on the fully objective rationality of modern institutions, both within a systematic account of the various moments of account-giving and justifiability, and as the historical culmination of the self-education of the human spirit, is to be strictly distinguished from any account of what circulates effectively as a justification within some institutional setting at a time.⁴⁴

So, when Hegel wants to give a concrete example of the subjective side of the rationality claim, he invokes the publicity and rationality

⁴³ There is a good deal more to be said about Hegel’s relation to Aristotle on this “theory–praxis” issue, and much of the best that has been said can be found in chapter Four of the third part of Theunissen (1970), pp. 338–419, especially p. 404. Also invaluable (even though I disagree with the interpretation) is Fulda (1968) on the “ethical” role of philosophers as university professors, civil servants, informed citizens, etc.

⁴⁴ See Hegel’s explanation of the difference between “the actual living principle [*Lebendigkeit*] of self-consciousness” on the one hand and the “adequate cognition” that “belongs to conceptual thought [*dem denkenden Begriffe*]” on the other at §147R (RP, 296; PR, 191).

conditions of jury trials (RP, 398; PR, 257). Citizens, he claims, could not themselves, subjectively, have reasons to keep faith with the trial system if all decisions were made by professional courts, based on strict standards of evidence and complex legal arguments, even if all those standards and arguments met the highest standards of legal expertise in themselves. Their (the citizens') reasons for sustaining such an institution depend both on the implicit standards of the institution itself (in this case, equality before the law) and considerations that can be given and accepted by the participants in the institution itself. Or, to revert to the standard case, while it is true that all an individual citizen has to go on in determining what to do is "his station and its duties," and while he can come to affirm such a role only by appeal to the sort of critical reflection available at the time, it is perfectly possible to claim that the station he occupies does not in itself conform to the demands of reason.

Requesting, providing, accepting, or rejecting practical reasons, in other words, are all better viewed as elements in a rule-governed social practice. Such justifications are offered to others as claims that the rules governing their common practice are being followed, and the practical issue of adequacy must be answerable only within such a practice, all given the way a practice or institution has come to embody the crises, breakdowns, and changes that have made it what it is.⁴⁵ Our assumption that an action should be understood as such-and-such and not so-and-so always involves the expectation that another should so construe it also, and we can make such assumptions only if we have already come to understand each other as fellow participants, in some determinate way, or only given relatively "thick" and reciprocal assumptions and expectations. Practical reasoning always presumes such contexts, and so while there is no Hegelian solution to the question of whether prudential reasoning can ever justify some qualification or suspension of my partial good, there is also no "actual" problem to be solved. The trust and solidarity without which cooperative action is impossible, and which cannot be justified on egoistic premises, or on the basis of "self-interest rightly understood" is, if it exists and if Hegel is right, best understood as the product of a collective historical experience of its absence and only partial presence. So, for us, now, "because families should try to foster independence in

⁴⁵ Terry Pinkard's account of reasoning and "assuming positions in social space" is an important version of what such a social view of practical reasoning looks like in the contexts that Hegel takes up. See Pinkard (1994) and his account of the Hegelian *Rechtsphilosophie* in chapter Seven, "The Essential Structure of Modern Life," pp. 269–343.

their children” might count as a perfectly fine and conclusive reason in such a practice, with no more needing to be said, for the agent. As Hegel keeps insisting, the agent must of course know and affirm the reason, and understand what else one is committed to in so responding, but that is all much different than an appeal, even an implicit appeal, to dialectical transformations in history, or conformity to the developed Idea of right.⁴⁶

Now obvious worries and questions start to creep in again here: that we are headed for something like the position Durkheim advocated in *The Rules of Sociological Method*, that “individual human natures are merely the indeterminate material which the social factor moulds and transforms.”⁴⁷ And we need to ask questions like: how do such institutional boundaries begin to break down, unless by appeal to a purely rational critique? It can all seem relativistic; does any of this help us understand any Hegelian basis for claims by the individual against institutions? And so on. There is much more that would have to be said about the Hegelian category of agency, the connections (if there are any) between philosophical comprehensibility and practical sufficiency, the status of individual responsibility in Hegel, his account of punishment, and so forth, for his approach to be defended.⁴⁸

⁴⁶ I need to be careful in stating this point. In Pippin (1997), I argued, in “Hegel’s Ethical Rationalism,” that Hegel does indeed try to show that modern institutions are the true objects of a rational will and so have a claim on modern subjects for allegiance and participation. But that does not conflict with anything said in this chapter. I see no evidence whatsoever that Hegel intended his *philosophy* of objective spirit and his account of its historical conditions to play any justificatory role *for* the participants of such a practice. See also the discussion in chapter 10. I am indebted to Mark Alznauer’s discussion of this issue in the first chapter of his dissertation “Hegel’s Defense of Moral Responsibility” (Alznauer 2008).

⁴⁷ Durkheim (1950), chapter 5.

⁴⁸ There are two issues in particular that would have to be addressed in a fuller account, and they both concern what appear on the surface to be inconsistencies in Hegel’s text. (i) Hegel seems to see no problem in both describing the subjective attitude of modern citizens as a kind of “trust” and even non-reflective (EPG:318), just as he insists, as we have seen several times, that they “knowingly and willingly” will “the universal” (RP, 406–407; PR, 282). See Neuhauser’s chapter 7, “The Place of Moral Subjectivity in Ethical Life,” (Neuhauser 2000, pp. 225–80) for one of the best discussions of this problem.

And, (ii), there is the question of the bearing of these issues on the account of moral psychology that undergirds *The Philosophy of Right*, especially as formulated in that work’s “Introduction.” Hegel seems both to reject any view of the role of practical reason which has it as an independent faculty assessing the worthiness of various drives, desires, and aversions, as if these latter were brute psychological givens (a denial especially apparent in his diatribes against Kant, positive religions, ascetic moralities, etc.), and to invoke more traditional rationalist language, as if one could separate oneself from and “stand above” (cf. §11 and §14 – RP, 62, 65; PR, 45, 47) one’s distinct conative states and evaluate their worthiness to serve as motives. The problem is complicated by our intuitive suspicion that one might be said to have reflected rationally on what to do, have come up with a socially effective reason, have fixed on a goal, have had the sufficient self-control and intelligence and means to achieve the goal, and have in fact achieved it, only to find oneself

And finally, many of these formulations can sound deflationary and anti-rational in spirit, and indeed many neo-Humeans, like Bernard Williams, are compelling advocates of the internalism condition and so “the limitations of ethical theory.”⁴⁹ But it is important to note in closing that Hegel is not denying that human reason can set ends, or determine action on its own, nor is he qualifying his controversial claim that modern individuals are responsive to practical reason in ways unlike and superior to prior civilizations. He is denying the Kantian and even the rational egoist notions of practical reason itself, and is trying to show that what one has a justified reason to do cannot be made out without attention to the forms of institutional life that concretely determine what adequate self-understanding and successful justification are. He is claiming that having a reason (not just in the explanatory sense, but in the justificatory, adequate, good-reason sense) is not some sort of reflective and ultimately absolute certification before the bar of reason itself.⁵⁰

As noted throughout, Hegel is prepared to claim that some institutions can be said to embody the historical self-education of the human spirit. (Whether they can be said, on Hegel's own premises, to embody a final or complete moment is an issue I address briefly in chapter 10, Concluding remarks.) The account and justification of that claim to genuine education and so moral progress can be given, but only “at dusk,” never in a way that legislates “what ought to be done,” and only for what Hegel calls in *The Philosophy of Religion* lectures the “sacred priesthood” of philosophers.⁵¹ Marx was right about Hegel, in other words. The point of philosophy for Hegel is to comprehend the world, not to change it; and this for a simple reason that Marx never properly understood: it can't.

dissatisfied, that one still could not “see oneself in the deed.” This dimension of freedom is of concern to Hegel and he has to have some way of dealing with it. See Geuss (1995a), p. 6: “Ich kann nicht durch einfache Instrospektion immer feststellen was meine wirkliche Wünsche sind; durch einfach theoretische Reflexion auch nicht.” See also his suggestions about Hegel on both “reflection” and “identification” in Geuss (1995b).

⁴⁹ One of the themes central to Williams' project – de-emphasizing any supposed categorical difference between moral and non-moral reasons – is also quite relevant to Hegel, and involves again a connection with Greek themes worth pursuing. The practical reasoning that Hegel links with “right” action is not a distinctly moral form of reasoning and so he in effect has no distinct theory of “morality.” Casuistical questions, dilemma situations, conflicting duties problems, moral worth issues, and so forth, play no decisive part in his discussions of modern ethical life.

⁵⁰ See Geuss (2005), “for Hegel there could be no direct movement from a speculative, philosophical warrant for the state to any interesting philosophically distinctive answer to the question ‘What ought I to do?’” (p. 51).

⁵¹ Philosophy is an “abgesondertes Heiligtum und ihrer Diener bilden einen isolierten Priesterstand, der mit der Welt nicht zusammengehen darf” (TWA, 16:356).

CHAPTER 10

Concluding remarks

I

A synthetic, conciliatory, or dialectical position like Hegel's, one that treats what had been considered antinomial alternatives as partial views of some more comprehensive true position, inspires an understandable skepticism. It is the "Have Your Cake and Eat It Too" skepticism we have noted several times. The particular issue in the preceding chapters was Hegel's theory of freedom. The interpretation defended was that Hegel has a rational agency theory of freedom. This means that he joins with Kant and Fichte in arguing (a) that a condition for both the inherent worth, the inherent dignity of a human life and the actual substance of a satisfying or fully realized human life is that it be a self-ruled or autonomous life, such that a subject can truly be said to be leading such a life and (b) that *this* condition can be fulfilled only if such a "leading" or self-rule can be understood as a self-constraint and self-direction by norms, only in so far as a subject is a rational agent. This is in effect the "Have Your Cake" part. The "Eat It Too" part emerges when we understand what Hegel considers to be the nature of such a rational agency, or how he understands the self- and other-relation constitutive of such agency. One could say that he conceives of such practical rationality as a "social practice," or that he conceives of it "pragmatically," or that he has a "historicized" or "dialogical"¹ view of what counts as the appeal to reasons. The point is that he understands practical reason as a kind of interchange of attempts at justification among persons, each of whose

¹ I mean the link between dialogic activity and rationality assigned to Plato in Gadamer's *Philebus* book (Gadamer 1991). See also the account by Makkreel (1990). It would not be correct to characterize Hegel's position, as Forster (1998) does, as holding that truth is simply constituted by an enduring communal consensus. Since Hegel is interested in a sort of consensus within a particular sort of historical development, the conditions of appropriate or genuine consensus could not themselves be true by being an object of consensus.

actions affects what others would otherwise be able to do, and all this for a community at a time.

Of course one can entertain considerations about what one ought to do with regard to actions that do not obviously affect what others would otherwise be able to do. But Hegel clearly assumes that this is not a primary but a marginal case of the exercise of practical rationality, and there are indications that he thinks that there are simply very few actions that do not in some way affect others. (The three main categories of practical rationality in *The Philosophy of Right* are all other-involving and are all conceived as ways subjects justify themselves to each other. There is, somewhat surprisingly, no consideration of the kind of reasons relevant simply to what it would be good for one to do.) Finally, even if there are such reasons, they at least also involve the minimum social dimension of permissibility.

This has consequences for both the subjective and objective sides of practical-reason-giving-and-demanding. Subjectively it means that the reflection and deliberation essential to such a subjective dimension (the entertaining of considerations about what one ought to do) are not formalizable, do not involve a method or permanent set of rules or a moral law or any sort of calculation. One deliberates, as he says, "*qua* ethical being" (*sittliches Wesen*). This means that considerations like "because I am her father," or "because that is what a good businessman does," or "you cannot, because that is my property," or "because I am a citizen" simply *are* practical reasons. They are not initial steps requiring a full deduction of a further claim that, say, one ought always to do what is required of a modern citizen of a *Rechtsstaat*, all before such a subjectively offered reason could really be convincing or successful. The Kantian conception of autonomy and rationality that supports such an intuition is, Hegel claims, a dangerous fantasy.

It is of course possible to give *some* formal description of the character of such considerations. You might offer someone a reason by pointing out that a consideration is in his or her interest, or by pointing out a means to some end desired by the agent. You might point out that an action is inconsistent with another end pursued by an agent, or inconsistent with the way they have always acted, with policies that have always brought happiness. If it is relevant, you might point out that an action establishes a precedent, that others will follow the precedent in ways not desired by the agent. You might even point out that an agent's maxim could not serve as a universal law of nature or could not be coherently willed as a universal principle. But which sort of consideration is relevant, and why it

is relevant, with what qualification and in what context, is not, according to Hegel, formalizable, reducible to some procedure or test. And Hegel is also arguing that (a) some of these will have to be “public” or irreducibly social,² will appeal to something like a social identity (one’s standing as a *sittliches Wesen*), as in “because I am your friend,” or “because this will be good for the country several generations from now,” and (b) the stronger claim: that which private- or individuality-based reasons gain public authority is itself a function of the kind of social order and bond already in place. It is not hard to imagine a social setting within which a public appeal to what would further each of our private interests would not only not be experienced as an effective or actual reason, but would even be taken as bizarrely self-centered and grossly distasteful.

Objectively, since such an embodied and social conception of practical rationality can only get a grip within, at the particular moment, the basic institutions of bourgeois modernity, there remains a question about the objective or institutional rationality of such institutions, and Hegel has set things up such that any answer that relies on “what rational individuals would will” has been closed off. This requires a much different narrative or developmental account of objective rationality, and this is what inspires the obvious skepticism. Someone might obviously complain that no consideration of the genesis of a historical practice could ever be relevant to its rationality or normative sufficiency in general; that, while Hegel might have expanded the whole notion of the self-legislated character of practical norms so as to include the developmental history of spirit itself (or even expanded it to include a consideration of “reason’s self-authorization”), all he has done is to expand the paradoxical and problematic nature of such self-legislation, deepened the difficulty of understanding any possible self-legislative origin of norms from a putative pre-normative state. Down this path, goes the criticism, lies mere historical sociology, or the history of what communities have taken to be normatively sufficient, not an account of such sufficiency.

This latter issue, the problem of objective rationality and its developmental justification, bears an enormous amount of weight in Hegel’s project. If Hegel’s theory of practical rationality (and so of agency) is a social theory in the sense just described, one is led immediately to questions about why justifications offered like “because I am a member of the National Socialist party,” or “you cannot have that job because you are a woman” should not count within a community at a time as effective

² See Rawls (1999).

justifications (as, it would appear, they at one time did). As we have seen, Hegel treats the subjective side of practical rationality as interwoven with everyday practices of justification, and so treats even reflective assessments of such claims – assessments say of *whether* being a woman should disqualify someone from a job – as also manifestations of a practice at a time, at least if these reflections can also play a part in the actual practice of giving and asking for reasons. Hegel may have a view about why justifications offered from positions of unequal power, well short of mutually recognitive social positions, cannot be effective or “actual” justifications, but his own style of reasoning does not allow him to rely on such a standard as a formal or abstract norm within a social practice. We need to know what counts as such full mutuality and exactly why, and what concretely Hegel means by “fails” to be an actual or effective justification, and this will require his developmental or internal account, and that will raise again the suspicions that the essentially normative function of philosophical reflection, calling social practices and moral claims to account before the bar of reason, will have been abandoned.

But that kind of worry comes with its own assumptions and is based on a misleading interpretation of what Hegel is trying to show. To see that, we first need to pull pretty far back from the details of such issues and consider an obvious fact about practical norms. They change. We are living through one of the greatest of such changes in human history – the beginning of the end, at least in Western societies, of the normative authority of any claim for a gender-based division of labor. One can take a huge step in Hegel’s direction simply by conceding that it is, at the very minimum, highly implausible that the right explanation for this change (and the right way to take account of it in a philosophical theory of normativity) is that someone or some group discovered a moral fact that had lain hidden for thousands of years, in principle accessible to human beings but unfortunately (for the thousands of generations involved) undiscovered. One could say the same thing about slavery, segregation, child labor, colonialism. As we have seen, we could and should raise the same question about why in Western societies the ideal of freedom itself should have attained such importance, or how and when the boundaries determining who gets to count as an agent and why came to be determined, and so forth.³

³ Although it introduces a complex, independent topic, one should note that this consideration, normative change, is one of the reasons why Hegel’s position would ultimately differ from other pragmatic positions otherwise close to his. One is Habermas’ theory of communicative rationality.

It is possible to frame this issue as one of very basic moral facts known, however dimly, at some period or other, but subject as well to different and perhaps expanding and more generous or more rational “interpretations” of such basic moral facts, facts we might want to hold do not vary and always guide human practices, perhaps more or less successfully. Hegel has two sorts of answers to such a challenge, I think. The first is that at some point (it is admittedly difficult to say exactly where this point is), the continuing insistence that the basic norm “remains the same” and “only interpretations” vary with history remains credible even in the face of wildly different interpretations only at the expense of emptiness and triviality. At some point there is not much left, or at least not much interesting left, of the claim for “same moral fact” if we are allowed to say, for example, that short of some deep, bizarre aberrations, a community that accepted that “all persons should be treated with respect,” but held that only about 5 percent of the human population were truly human persons *shared the same norm* as Mother Theresa and her version of Christian egalitarianism. East European Communist regimes fully accepted the normative claim that “state power should be exercised in the name of the democratic will of the people,” but it would hard, or let us say, uninteresting, unhelpful, to suggest that they “shared the same norm” as liberal democratic regimes, whose proponents might use the same words. The other response involves the basic logical claim in Hegel’s account of conceptuality, his claim that a *Begriff* must always be understood as “*verwirklicht*,” actualized, as we have noted in chapter 4.

We could also, of course, with respect to any of these issues, insist that as philosophers we need not be concerned with such genetic, historical and psychological issues. We simply must do the best that we can now to

As we saw in chapter 8 in discussing Hegel’s “developmental” account of justification, Hegel would not agree that there is any way to get from a purely formal pragmatics to any theory that includes the substantive constraints of practical rationality. It is true that in any effective language use one can be said to be “subjecting oneself” to rational norms, but this involves only a thin, necessary-condition sense of such normativity and nothing follows from it alone to what one (anyone) has reasons to do or forebear from *doing*. There is something similar to Habermas’ strategy in Hegel’s account, though. It has to do with invocations of what is “inescapable,” practically unavoidable, in participating a sense-making practice at all. Hegel also thinks that subjection to concrete practical norms can be shown to be inescapable without practical incoherence, but for him there is no transcendental or (*pace* Habermas) “quasi-transcendental” showing what the content of those constraints are. Hegel’s historical–developmental narrative may not give us the philosophical gold standard, transcendental necessity, but (a) it is all we’ve got and (b) it is enough. Secondly, although the spirit of Brandom’s inferentialism is deeply Hegelian (as well as Sellarsian), there are similar problems regarding the scope of the account of normativity given by him and therewith the kind of justifying account that would do the job. See Pippin (2005d).

determine what practices and actions are defensible and why or why not. But that seems a bit myopic. The means used by, say, Rawls, to justify certain features of the welfare state are just as much reflections of a tradition as tools for its assessment (as Rawls seemed to concede in the second phase of his career after *A Theory of Justice*). One can say the same about contractarianism, methodological individualism, rational egoism, and so forth. But if that is true, and the “justification game” is as much a historically located social practice as any other, where does that leave us?⁴

At the very least it leaves us with the pressing question of “how we got to be us.” And such a narrative can certainly do more than tell one of many possible stories about such a development. If we are specifically interested in basic normative proprieties, we might try to determine retrospectively something initially quite vague but, given the situation just described, clearly und und unavoidably on the agenda: something like why essential features of a certain form of life, say essential features of modern moral and ethical and political identity, have come to have the grip they now do, why it would be difficult to imagine a livable form of life, given such a history, assuming any other form. Such a project would have to be painted on a large canvas. It should probably include as many dimensions of spirit as possible: the history of religion, of politics, of art, or philosophy, and certainly the history of “spirit’s experience of itself,” a “phenomenology of spirit” in its self-education and development. Such a project might fall well short of a claim about necessity, a claim that matters could not have been otherwise, but, given some minimum historical continuity and historical memory, and given the context created by various forms of social breakdown, normative failure, and so the inappropriateness, the lack of traction possible, for many merely hypothetical historical alternatives, something a great deal more than a “one-damn-thing-after-another” account might be possible. We might be able to demonstrate some claim that, given the context created by human attempts to justify themselves to one another, one set of alternatives has its historical home in such a context, and others do not, cannot (could not simply make much sense in such a context). This might serve, at a philosophical level (for the “isolated sect” (*abgesondertes Heiligtum*) of philosophers) as a justification of sorts, a way of thinking about how we

⁴ Patten (1999) has objected to what he calls a historicist interpretation of Hegel’s argument. I cannot see how this dimension of Hegel can be avoided without attributing full reflective rationality, of a Hegelian sort, to individual agents. See Pippin (2001b).

go on now that is responsive to and, if it can be shown, a progressive development of, how we used to go on. As noted in chapter 9, this form of reconciliation cannot function in any way as a practical justification for anyone in modern *Sittlichkeit* (any more than in Aristotle's account the *phronimos* needs to understand the principles of Aristotelian science or the accounts of nature or rhetoric in order to be practically wise). However, given Hegel's view of philosophy, it is the most important even if pragmatically inert form of reconciliation with the modern world.

Finally, there is a more formal objection to this whole approach. Practical reasons are being treated as institution- and time-bound considerations demanded and offered within a social practice as justifications for actions that impede what others would otherwise be able to do. (This is already a matter for a great deal of clarification. Everything one does might potentially be construed as falling under such a category and even some clear-cut inhibitions of others need not require justifications.) But one could reasonably charge that at bottom such a pragmatic consideration is either incomplete or circular.

Whatever is proposed as a justifying consideration can only be said to do any justifying work by virtue of some substantive claim made about what *is* appropriate or permitted or required, and *why*; not by virtue of its functional characteristic as mediating social conflict or actualizing mutuality of recognition. Such a proffered consideration can only do *that* on the basis of *what* is actually claimed, and whatever that is, whatever is claimed, will count as rational or not independently of the role it plays, on some theory of substantive practical rationality. That is, one cannot offer as such a consideration something like "whatever will do the job of mediating our conflict or achieving mutual recognitive status."

But this objection would again (as in the discussion in chapter 9) confuse the philosophical level at which something like the theory of objective spirit, or the phenomenological justification of the Absolute standpoint operates and "lived" experience, "on the ground." At that latter level, Hegel's examples are all substantive and contentful: I have a right to expect fulfillment of that contract because we both signed it; I may do that because I am your father, and so forth. Such are what the "actuality" of the norm of freedom (and its required mutuality) have turned out to be, and they have that status (truly function as reasons) not as the result of a philosophical deduction but as the result of, one has to say with breathtaking sweep, the historical experience of, the self-education of, spirit. It is at that level of understanding that Hegel's account should be considered a pragmatic one.

II

But this just adds to the pressure building on Hegel's historical and hermeneutical narrative. This is obviously an extremely controversial position. We live in a "post-Foucauldean" world, see brute contingency everywhere in historical change, and where change is intelligible, we apparently now like to think of it as the mere contingent result of a struggle for power, for control of the social agenda. So the issue just broached would require a much more sustained independent treatment if it were to become a competitor account.⁵ That would especially involve some account of what this position would mean both for a more detailed reconstruction of Hegel's theory of and defense of modernity, as well as for a contemporary Hegelian account of the fate of the highest modern norm in late modernity, a free life. This all would also mean that any question about the status of ethical, political, and even aesthetic norms in later post-Hegelian modernity is not something that can be answered by an independent argument or single comprehensive claim. The aspiration would be something similar to Hegel's, but in this case taking in as attempts at and manifestations of self-knowledge the nineteenth-century and modernist novel, modernism in the visual arts, the emergence of powerful new technologies and growing technological dependence in social and political life, the development of unimaginably influential new media, especially film and television, the "world historical importance" of feminism, the historical fate of religiosity within modernization (or the fate of the secularization claim), the meaning and legacy of ideological warfare, and so forth. The aspiration in such a project would not be merely hermeneutical or something like a program in cultural anthropology. It sounds both downright silly and at the same time insufficient to see such an enterprise as asking whether such modes of sense-making are "working," all along something like the model of Hegel's account of Greek ethical life, revolutionary France, or a culture of moralism. That all seems hopelessly anachronistic.

Moreover, the enormous burden of such a task might seem to some like a *reductio* of the whole attempt, and the only post-Hegelian attempts at something like *The Phenomenology, Part Two*, Nietzsche's genealogy,

⁵ I realize that this statement has to count as a profound understatement. I have in other works tried to suggest what these accounts might look like (see Pippin (1997), (2001a), (2002b), (2005a), and a forthcoming short work, *Political Psychology and American Myth: Violence and Order in Hollywood Westerns*).

and Heidegger's "Destruction of Western metaphysics," hardly point us in a Hegelian direction. There is no struggle to actualize a free life for all in such narratives. But anyone committed to such an ideal, anyone who takes seriously the historical novelty of the idea and the burden that novelty places on philosophy, anyone convinced that, on the one hand, many modern notions of autonomy are wild exaggerations and on the other hand that the endless "decenterings" of the "authority of the subject" have gone much too far, have ended up undermining the possibility of their own projects, anyone suspicious that we won't have much of a sense of what the ideal has come to mean without lots of interpretive work in understanding cultural objects not traditionally taken to be the province of philosophy, and anyone convinced that the aspiration to lead a life of one's own in common with others, in the social and material conditions under which such equal dignity is actually possible, is a major accomplishment of modernity and not an ideologically distorted fantasy, will find herself at some point led back to Hegel and to the question of the continuation of Hegel's project.

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